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TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463 and 61 Stat. 11; 21 U. S. C., Sup. 357), the regulations for tests and methods of assay of antibiotic drugs (12 F. R. 2215; 13 F. R. 439, 2475, 3969, 4186) and certification of batches of penicillin- or streptomycin-containing drugs (12 F. R. 2231, 4369, 8723; 13 F. R. 436, 1087, 2291, 2475, 2950, 3969, 4186, 5152) are amended as indicated below:

1. Part 141 is amended by adding the following new section:

§ 141.32 *Procaine penicillin and buffered crystalline penicillin for aqueous injection*—(a) *Potency, sterility, moisture, pyrogens, toxicity, pH.* Proceed as directed in § 141.29.

(b) *Buffered crystalline penicillin content*—(1) *Preparation of sample.* Add 20 ml. of distilled water to the contents of a vial of the sample and shake well. Centrifuge, decant, and centrifuge the decanted liquid to obtain 12 to 15 ml. of clear solution.

(2) *Iodometric assay for total penicillin.* Dilute a 5.0-ml. aliquot of the clear solution prepared in accordance with subparagraph (1) of this paragraph to 50 ml. with 1% phosphate buffer at pH 6.0. Determine the total quantity of penicillin in a 2.0-ml. aliquot of this solution by the iodometric assay procedure described in § 141.5 (e).

(3) *Colorimetric determination of procaine penicillin.* (i) Transfer a 10.0-ml. aliquot of the solution prepared in subparagraph (2) of this paragraph to a 1-liter volumetric flask and make to volume with distilled water. Determine the quantity of procaine penicillin in a

10.0-ml. aliquot of this solution by the following method:

(ii) *Reagents*—(a) *Sodium nitrite solution.* Dissolve 0.1 gm. of sodium nitrite in 100 ml. distilled water. Prepare fresh solution every other day.

(b) *Ammonium sulfamate solution.* Dissolve 0.5 gm. of ammonium sulfamate in 100 ml. distilled water.

(c) *N-(1-naphthyl)-ethylenediamine solution.* Dissolve 0.1 gm. of N-(1-naphthyl)-ethylenediamine dihydrochloride in 100 ml. distilled water. Prepare fresh solution every other day.

(iii) *Standard curve.* Prepare a standard stock solution containing 275.5 ml. of procaine hydrochloride U. S. P. in a liter of distilled water. A standard working solution containing 2.755 mg. per liter is prepared by diluting 10.0 ml. of the standard stock solution to a liter with distilled water. (Each milliliter of the standard working solution is equivalent to 6 units of procaine penicillin.) Transfer, respectively, 2.0, 4.0, 6.0, 8.0, and 10.0 ml. of the standard working solution and 10.0 ml. of distilled water to each of six 25-ml. volumetric flasks. Add 8.0, 6.0, 4.0, and 2.0 ml. of water to the first four flasks, respectively, to give each a volume of 10.0 ml. To each flask add 0.5 ml. of 4N HCl, 1.0 ml. of the sodium nitrite solution, 1.0 ml. of the ammonium sulfamate solution, and 1.0 ml. of the N-(1-naphthyl)-ethylenediamine solution, with mixing after each addition. Make each flask to a volume of 25 ml. with distilled water. Read the percent light transmission of the colored solutions using a 2.0 cm. cell and a 550 μ filter in a suitable photoelectric colorimeter. The instrument is balanced so that the zero concentration reads 100% light transmission. Prepare a standard curve on semilog paper, plotting the percent light transmission on the logarithmic ordinate scale and the concentration as units of procaine penicillin on the abscissa.

(iv) *Procedure.* By means of a volumetric pipette transfer to a 25-ml. volumetric flask 10.0 ml. of the solution prepared in subparagraph (3) (i) of this paragraph. Add 0.5 ml. of 4N HCl, 1.0 ml. of the sodium nitrite solution, 1.0 ml.

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FEDERAL REGISTER

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of the ammonium sulfamate solution, and 1.0 ml. of the N-(1-naphthyl)-ethylenediamine solution with mixing after each addition. Make to 25.0 ml. with distilled water. Set the colorimeter at 100% light transmission with the 0% concentration blank as directed above and obtain the percent light transmission of the sample. The concentration obtained directly from the standard curve corresponding to the percent light transmission of the sample X20 equals the concentration of procaine penicillin in 2 ml. of the solution prepared in subparagraph (2) of this paragraph.

The content of buffered crystalline penicillin in the sample vial is equal to the difference between the total number of units of penicillin in 2.0 ml. of the solution as determined by subparagraph (2) of this paragraph and the total number of units of procaine penicillin in 2.0 ml. of this same solution as determined above, multiplied by 100.

The content of buffered crystalline penicillin in the batch is satisfactory when determined by the method described in this paragraph if it is not less than 85% of that which it is represented to contain.

(c) *Procaine penicillin.* The procaine penicillin content of the batch is the difference between the potency determined by the method described in paragraph (a) of this section and the content of buffered crystalline penicillin determined by the method described in paragraph (b) of this section.

The procaine penicillin content of the batch is satisfactory when determined by the method described in this paragraph if it is not less than 85% of that which it is represented to contain.

2. The headnote of § 146.27 is amended to read:

§ 146.27 *Tablets buffered penicillin (tablets buffered penicillin sodium, tablets buffered penicillin calcium, tablets buffered penicillin potassium, tablets buffered penicillin procaine, tablets buffered penicillin sodium salt, tablets buffered penicillin calcium salt, tablets buffered penicillin potassium salt, tablets buffered penicillin procaine salt).* * * *

3. Section 146.27 (a) is amended to read:

(a) *Standards of identity, strength, quality, and purity.* Tablets buffered penicillin is sodium penicillin, calcium penicillin, potassium penicillin, or procaine penicillin and one or more of

the buffer substances sodium citrate, sodium benzoate, citric acid, aluminum hydroxide, calcium carbonate, magnesium oxide, aluminum dihydroxyaminoacetate, and sodium salts of fatty acids, if in quantities sufficient to exert a buffering action. It is tableted with or without the addition of one or more suitable and harmless diluents, binders, lubricants, colorings, and flavorings. The potency of each tablet is not less than 50,000 units and if it is less than 100,000 units it is "unscored"; its moisture content is not more than 1.0%. The sodium penicillin, calcium penicillin, and potassium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), (4), and (7) of § 146.24 (a), but its potency is not less than 300 units per milligram. The procaine penicillin used conforms to the requirements of § 146.44 (a), except subparagraphs (2) and (3) of § 146.44 (a). Each other substance, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

4. Section 146.27, subparagraph (1) (iv) of paragraph (c) *Labeling*, is amended to read:

(iv) The statement "Expiration date _____," the blank being filled in, if crystalline sodium or potassium penicillin is used, with the date which is 18 months, or if crystalline sodium or potassium penicillin is not used, with the date which is 12 months after the month during which the batch was certified.

5. Section 146.27, subparagraph (2) (ii) of paragraph (d) *Requests for certification; samples*, is amended to read:

(ii) The penicillin used in making the batch; potency, toxicity, moisture, pH, penicillin K content (unless it is crystalline penicillin G), crystallinity if it is crystalline penicillin, heat stability if it is crystalline sodium or potassium penicillin, the penicillin G content if it is crystalline sodium or potassium penicillin G, and the procaine penicillin G content if it is crystalline procaine penicillin G.

6. Section 146.27, subparagraph (3) (ii) of paragraph (d) is amended to read:

(ii) The penicillin used in making the batch; 6 packages, or in the case of crystalline penicillin 10 packages, each containing approximately equal portions of not less than 60 mg. if it is not procaine penicillin, and not less than 300 mg. if it is procaine penicillin, packaged in accordance with the requirements of § 146.24 (b) or § 146.44 (b).

7. The headnote of § 146.30 is amended to read:

§ 146.30 *Penicillin troches (sodium penicillin troches, calcium penicillin troches, potassium penicillin troches, procaine penicillin troches, penicillin troches sodium salt, penicillin troches calcium salt, penicillin troches potassium salt, penicillin troches procaine salt).*

8. Section 146.30 (a) is amended to read:

(a) *Standards of identity, strength, quality, and purity.* Penicillin troches

are troches composed of sodium penicillin, calcium penicillin, potassium penicillin, or procaine penicillin and one or more suitable and harmless diluents, binders, and lubricants, with or without ethyl aminobenzoate or one or more suitable and harmless masticatory substances, colorings, and flavorings. The potency of each troche is not less than 500 units; the moisture content is not more than 1.0%, except that if flavorings are omitted and it contains crystalline penicillin in a base of not less than 50% gelatin by weight, its moisture content is not more than 2%. The sodium penicillin, calcium penicillin, or potassium penicillin used conforms to the requirements of § 146.24 (a) except the limitation on penicillin K content and except subparagraphs (1), (2), (4), and (7) of § 146.24 (a), but the potency is not less than 300 units per milligram. The procaine penicillin used conforms to the requirements of § 146.44 (a), except the limitation on penicillin K content and except subparagraphs (2) and (3) of § 146.44 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

9. Section 146.30, subparagraph (2) (ii) of paragraph (d) *Requests for certification; samples*, is amended to read:

(ii) The penicillin used in making the batch; potency, toxicity, moisture, pH, crystallinity if it is crystalline penicillin, heat stability if it is crystalline sodium or potassium penicillin, the penicillin G content if it is crystalline sodium or potassium penicillin G, and the procaine penicillin G content if it is crystalline procaine penicillin G.

10. Section 146.30, subparagraph (3) (ii) of paragraph (d) is amended to read:

(ii) The penicillin used in making the batch; 5 packages, or in the case of crystalline penicillin 10 packages, each containing approximately equal portions of not less than 60 mg. if it is not procaine penicillin, and not less than 300 mg. if it is procaine penicillin, packaged in accordance with the requirements of § 146.24 (b) or § 146.44 (b).

11. Part 146 is amended by adding the following new section:

§ 146.50 *Procaine penicillin and buffered crystalline penicillin for aqueous injection.* Procaine penicillin and buffered crystalline penicillin for aqueous injection conforms to all requirements prescribed by § 146.47 for procaine penicillin for aqueous injection, and is subject to all procedures prescribed by § 146.47 for procaine penicillin for aqueous injection, except that:

(a) It contains not less than 50,000 units of buffered crystalline penicillin for each 300,000 units of procaine penicillin. The buffered crystalline penicillin conforms to the requirements prescribed therefor by § 146.37.

(b) In lieu of the directions prescribed for procaine penicillin for aqueous injection by § 146.47 (c) (1) (ii), each package shall bear on the outside wrapper or container and the immediate container the number of units of procaine penicillin

and the number of units of buffered crystalline penicillin in the immediate container; the circular or other labeling within or attached to the package, if it is packaged for dispensing, shall bear, in lieu of the statement prescribed by § 146.47 (c) (2) (iii), the statement "Sterile suspension may be kept in refrigerator for one week without significant loss of potency."

(c) In addition to complying with the requirements of § 146.47 (d), a person who requests certification of a batch of procaine penicillin and buffered crystalline penicillin for aqueous injection shall submit with his request a statement showing the batch mark and (unless it was previously submitted) the results and the date of the latest tests and assays of the buffered crystalline penicillin used in making the batch for potency, crystallinity, heat stability, penicillin K content (unless it is buffered crystalline penicillin G) and the penicillin G content if it is buffered crystalline penicillin G, the number of units of procaine penicillin and the number of units of buffered crystalline penicillin in each immediate container of the batch. He shall also submit in connection with his request a sample consisting of three packages containing approximately equal portions of not less than 60 mg. each of the buffered crystalline penicillin used in making the batch. If such batch is packaged for repacking, such person shall submit with his request a sample containing 10 approximately equal portions of at least 400 mg. each packaged in accordance with the requirements prescribed by § 146.47 (b).

(d) The fee for the services rendered with respect to each immediate container in the sample of buffered crystalline penicillin submitted in accordance with the requirements prescribed therefor by this section shall be \$4.00.

This order, which provides for the use of procaine penicillin in the manufacture of tablets buffered penicillin and penicillin troches; and for a new product, procaine penicillin and buffered crystalline penicillin for aqueous injection, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and would be contrary to public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay providing for the use of procaine penicillin in the manufacture of tablets buffered penicillin and penicillin troches and to delay providing for a new penicillin product, procaine penicillin and buffered crystalline penicillin for aqueous injection.

(52 Stat. 1040, 1055, as amended; 21 U. S. C. and Sup. 357)

Dated: October 8, 1948.

[SEAL] J. DONALD KINGSLEY,
Acting Administrator.

[F. R. Doc. 48-9076; Filed, Oct. 13, 1948; 8:50 a. m.]

TITLE 26—INTERNAL REVENUE**Chapter I—Bureau of Internal Revenue, Department of the Treasury****Subchapter E—Administrative Provisions Common to Various Taxes**

[T. D. 5681]

PART 455—REWARDS FOR INFORMATION LEADING TO THE DETECTION AND PUNISHMENT OF PERSONS VIOLATING INTERNAL REVENUE LAWS

Section 455.1 is revised to read as follows:

§ 455.1 *Rewards for information.* Under and by virtue of the provisions of section 3792 of the Internal Revenue Code, the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, does hereby offer for information that shall lead to the detection and punishment of persons guilty of violating the internal revenue laws, or conniving at the same, such reward as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall deem suitable. Any person furnishing such information shall be eligible for reward under this Treasury decision unless he was an officer or employee of the Department of the Treasury at the time he came into possession of his information or at the time he divulged it.

The rewards hereby offered are limited in their aggregate to the sum appropriated therefor and shall be paid only in cases not otherwise provided for by law. The amount paid as a reward under the provisions of this Treasury decision is determined from the value of the information furnished. Payment of rewards will be made as promptly as the circumstances of the case permit.

Information relative to violations of the internal revenue laws, furnished by persons desiring to claim rewards under the provisions of this Treasury decision, may be submitted in writing to the Commissioner of Internal Revenue, Washington 25, D. C., or to the Office of the Intelligence Unit, the Technical Staff, the Internal Revenue Agent in Charge or the Collector of Internal Revenue, in the locality in which the informant resides, or it may be given in person to the Office of the Chief of the Intelligence Unit in Washington, D. C., or to any of the above-mentioned field offices.

If the information is given in person, either orally or in writing, the name and official title of the person to whom it is given should be ascertained, as these data, together with the date on which the information was given, must be included in the formal claim for reward when filed.

An informant who intends to claim a reward should notify the person to whom he gives his information of such intention, and should file formal claim therefor as soon thereafter as practicable. Claims for reward under the provisions hereof shall be made on Form 211, which may be obtained from Collectors of Internal Revenue or from the Bureau at Washington 25, D. C. Such claims for reward should be executed before a notary public or other officer duly authorized by law to administer oaths, and

should be transmitted to the Commissioner of Internal Revenue, Washington 25, D. C., for the attention of the Chief Counsel.

Treasury Decision 5379, approved June 22, 1944 (26 CFR 455.1) is hereby revoked.

(53 Stat. 467; 26 U. S. C. 3791, 3792)

Because this Treasury decision relates only to the Bureau procedure and practice in the offer of rewards, and because the changes made by this Treasury decision merely remove limitations on the reward offered under existing regulations, it is hereby found that it is unnecessary to issue this Treasury decision with notice of public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: October 8, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.
[F. R. Doc. 48-9075; Filed, Oct. 13, 1948;
8:50 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS**Chapter I—Interstate Commerce Commission**

[S. O. 828]

PART 95—CAR SERVICE**REFRIGERATOR CARS FOR TRANSPORTING COTTON**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of October A. D. 1948.

It appearing, that there are certain SFRD and PFE refrigerator cars in California and Arizona not suitable for transporting commodities requiring protective service and that such cars are suitable for transporting other freight; in the opinion of the Commission an emergency exists requiring immediate action in California and Arizona: It is ordered, that:

§ 95.828 *SFRD-PFE refrigerator cars for loading cotton.* (a) Any common carrier by railroad subject to the Interstate Commerce Act, serving points in California or Arizona, may at its option furnish and transport for each box car ordered.

(1) *Uncompressed cotton.* Not more than four (4) refrigerator cars, of SFRD or PFE ownership, not suitable for transporting commodities requiring protective service, for loading and transporting carload shipments of uncompressed cotton at origins in California and Arizona, when such cotton is consigned or reconsigned to points for compression;

(2) *Compressed cotton.* Not more than two (2) refrigerator cars of SFRD or PFE ownership, not suitable for transporting commodities requiring protective service, for loading and transporting carload shipments of compressed cotton originating at points of compression in California and Arizona and consigned

or reconsigned to points on the Southern Pacific Company, the Texas and New Orleans Railroad Company, Union Pacific Railroad Company and The Atchison, Topeka and Santa Fe Railway Company,

subject to the carload minimum weight which would have applied if the shipment had been loaded in the box car ordered.

(b) *Application.* The provisions of this section shall apply to shipments moving in intrastate commerce as well as to those moving in interstate commerce.

(c) *Effective date.* This section shall become effective at 12:01 a. m., October 9, 1948.

(d) *Expiration date.* This section shall expire at 11:59 p. m., December 31, 1948, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

(e) *Conflicting service orders suspended.* The operation of Service Order No. 68 (8 F. R. 8513) as amended, and all other orders of the Commission insofar as they conflict with the provisions of this section, or as amended, is suspended.

(f) *Rules and regulations suspended.* The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended.

(g) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

It is further ordered, that this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-9071; Filed, Oct. 13, 1948;
8:48 a. m.]

TITLE 50—WILDLIFE**Chapter I—Fish and Wildlife Service, Department of the Interior****Subchapter C—National Wildlife Refuges; Individual Regulations****PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES****RAILROAD VALLEY NATIONAL WILDLIFE REFUGE, NEVADA; HUNTING**

Basis and purposes. It has been determined that the public use and the management of the Railroad Valley National

Wildlife Refuge, Nevada, can be facilitated by establishing thereon a public shooting area to be administered by the Nevada Fish and Game Commission under general regulations of the Secretary of the Interior. Details relating to regulation, management, and operation of said public shooting area have been agreed upon by the Director of the Fish and Wildlife Service and the Director of the Nevada Fish and Game Commission, pursuant to § 12.9 of this chapter, Fish and Wildlife Service. Accordingly a new section is added to Part 21 as follows:

§ 21.753 *Railroad Valley National Wildlife Refuge, Nevada; hunting.* Migratory Waterfowl and Coots only may be taken within the hereinafter described area of the Railroad Valley National Wildlife Refuge, Nevada, in accordance with the Migratory Bird Treaty Act Regulations (50 CFR 1.1-1.12), when, in a manner and to the extent permitted by State law or regulations: *Provided*, That the privileges herein granted shall be exercised in accordance

with the provisions of the regulations dated December 19, 1940, for the administration of National Wildlife Refuges under the jurisdiction of the Fish and Wildlife Service, under the following special provisions, conditions, restrictions, and requirements, and under such special provisions, conditions, regulations, and requirements as shall be prescribed by the Nevada Fish and Game Commission:

(a) *Shooting area.* That part of the Railroad Valley National Wildlife Refuge lying and being north of the township line between townships 7 N. and 8 N., M. D. B. & M.

(b) *Entry.* Entry on and use of the Refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F. R. 5284), as amended, and strict compliance therewith is required. The carrying or being in possession of firearms within the areas of the Refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they

are unloaded, and broken or properly cased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shells on the Refuge is prohibited.

(c) *Permits.* Any person who hunts within the Refuge must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by the State of Nevada, and, if over sixteen years of age, a properly validated migratory bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the Refuge.

(Sec. 10, 45 Stat. 1222; 16 U. S. C. 715i; E. O. 6697, May 2, 1934, 3 CFR, Ch. I; Reorg. Plan No. II of 1939, 4 F. R. 2731; 3 CFR Cum. Supp.; Regs., Fish and Wildlife Service, Dec. 19, 1940, 5 F. R. 5284, 10 F. R. 4267)

Dated: October 8, 1948.

OSCAR H. JOHNSON,
Acting Director.

[F. R. Doc. 48-9068; Filed, Oct. 13, 1948; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR, Parts 21, 28]

LABOR STANDARDS APPLICABLE TO EMPLOYEES OF NATIONAL PARK SERVICE CONCESSIONERS

NOTICE OF HEARING ON OBJECTIONS TO WAGES AND OVERTIME COMPENSATION

On July 12, 1948, the regulations in Part 28, Chapter I, Title 36, Code of Federal Regulations, were amended and on July 17, 1948, the amendments were published in the FEDERAL REGISTER (13 F. R. 4101). These amendments were adopted after a hearing held in San Francisco, California, on September 16 and 17, 1947, notice of which hearing had been published in the FEDERAL REGISTER on August 15, 1947 (12 F. R. 5520). The regulations were further amended on August 6, 1948, by providing that their effective date shall be on and after January 1, 1949 (F. R., August 11, 1948; 13 F. R. 4636).

Among the amendments adopted on July 12, 1948, was the following portion of § 28.5 (b): "No less than one and one-half times the regular rate of pay at which the employee is employed shall be paid for all hours worked in excess of 40 per week."

Thereafter, objections to the adoption of this quoted amendment and requests that the words "40 per week" be changed to "48 per week" were received from the Western Conference National Park Concessioners, the Glacier Park Transport Company, the Rocky Mountain Motor Company, the Sequoia and Kings Canyon National Parks Company, the Yellowstone Park Company, and the Yosemite Park and Curry Company.

Notice is hereby given that, pursuant to the authority contained in section 3

of the act of August 25, 1916 (39 Stat. 535; 16 U. S. C., 1946 ed., sec. 3), a public hearing for the purpose of receiving the views of interested parties with respect to the aforesaid objections and requests will be held in Room 409, New Custom House, Denver, Colorado, on November 30, 1948, commencing at 10 a. m.

The hearing will be held by a committee of three, consisting of Otto S. Beyer, Chairman, John B. Bennett, of the Office of the Secretary, and Harry M. Edelstein, Assistant Solicitor.

Those desiring to be heard should so inform the chairman of the committee at the Department of the Interior, Washington 25, D. C., in writing not later than November 19, 1948.

Written statements may be filed with the committee at the time of the hearing or by mailing them to the chairman at the Department of the Interior, Washington 25, D. C., not later than November 24, 1948.

C. GIRARD DAVIDSON,
Acting Secretary of the Interior.

OCTOBER 8, 1948.

[F. R. Doc. 48-9067; Filed, Oct. 13, 1948; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF CANNED FIELD PEAS AND CANNED BLACK-EYE PEAS

NOTICE OF PROPOSED RULE MAKING

Correction

In Federal Register Document 48-8546 appearing at page 5530 in the issue for

Thursday, September 23, 1948, the original document has been corrected so that the tenth line of paragraph (f) (3) (iii) reads, "or black-eye peas may be firm and mealy".

[7 CFR, Part 821]

SUGAR CONSUMPTION REQUIREMENTS, QUOTAS, AND QUOTA DEFICITS FOR THE CALENDAR YEAR 1949

NOTICE OF PROPOSED RULE MAKING

Pursuant to the authority contained in the Sugar Act of 1948 (7 U. S. C. Supp. I, 1100), the Secretary of Agriculture is preparing to determine the sugar consumption requirements and to establish sugar quotas for the calendar year 1949 (1) for the continental United States pursuant to sections 201 and 202 of the act, and (2) for local consumption in Hawaii and in Puerto Rico pursuant to sections 201 and 203 of the act. The Secretary is also preparing to determine whether any domestic area, the Republic of the Philippines, or Cuba will be unable to market the quota for such area in 1949 and to reallocate, pursuant to section 204, any quota deficit so determined.

Section 201 of the act provides that the Secretary of Agriculture shall determine for each calendar year the amount of sugar needed to meet the requirements of consumers in the continental United States. In making such determinations, the Secretary is directed to use as a basis the amount of sugar distributed for consumption during the 12 months ending October 31 last and to adjust such amount for any deficiency or surplus in inventories of sugar and for changes in consumption because of the changes in population and demand conditions. The Secretary is also directed to take into consideration certain standards with a view to providing such supply of sugar as will be consumed at prices which will

not be excessive to consumers and which will fairly and equitably maintain and protect the welfare of the domestic sugar industry. The standards to be taken into consideration include those enumerated above and also the level and trend of consumer purchasing power and the relationship between the prices at wholesale for refined sugar that would result from such determination and the general cost of living in the United States as compared with the relationship between prices at wholesale for refined sugar and the general cost of living in the United States obtaining during 1947 prior to the termination of price control.

Section 202 of the act provides for fixed quotas for the domestic areas and for the Republic of the Philippines and for the apportionment of the balance of the consumption requirements to foreign countries other than the Republic of the Philippines in accordance with stated percentages.

Section 203 of the act provides that the Secretary also shall determine in accordance with such provisions of Section 201 as he deems applicable, the amount of sugar needed to meet the requirements of consumers in Hawaii and in Puerto Rico and shall establish quotas for local consumption in such areas equal to the amounts so determined.

Section 204 of the act provides that the Secretary shall from time to time during the calendar year determine whether in view of various factors specified in the act, any domestic area, the Republic of the Philippines, or Cuba will be unable to market the quota for such area. Section 204 further provides that upon a finding that any such area will be unable to market its quota, the deficit so determined shall be reallocated in accordance with a stated formula.

A public hearing will be held in Washington, D. C., in the Auditorium, South Building, United States Department of Agriculture, on November 15, 1948, at 9:30 a. m. (e. s. t.) for the purpose of affording interested persons an opportunity to present orally any data, views, or arguments with respect to the determination of sugar consumption requirements and the establishment of sugar quotas for the continental United States for the calendar year 1949. The principal matters for consideration at the hearing relate to (1) the manner of determination of deficiencies or surpluses in inventories of sugar, (2) the effect upon consumption requirements of various changes in demand conditions, (3) the effect of the prospective 1949 level and trend of consumer purchasing power upon sugar consumption requirements, (4) the manner in which the relationship between the wholesale refined price of sugar and the general cost of living in the United States should be employed or considered in determining the sugar consumption requirements for 1949, and (5) the relative importance of the foregoing factors and the weighting which should be given each in determining the sugar consumption requirements for 1949.

Prior to the issuance of regulations setting forth the sugar consumption requirements for the continental United States for the calendar year 1949 and

the sugar quotas for 1949 for domestic and foreign areas, consideration will be given to any data, views, or arguments pertaining thereto which are presented at the hearing or which are submitted in writing to the Director, Sugar Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. Prior to the issuance of regulations setting forth (1) the sugar consumption requirements for Hawaii and for Puerto Rico for the calendar year 1949 and the sugar quotas for 1949 for local consumption in such areas, and (2) the amount by which any domestic area, the Republic of the Philippines, or Cuba will be unable to market the quota for such area in 1949 and the reallocation of such deficits, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Director, Sugar Branch, Production and Marketing Administration. Written data, views, or arguments must be submitted in quadruplicate and filed in person or postmarked not later than November 26, 1948. Such data, views, or arguments submitted at the hearing will be accepted as a part of the record, but will not be copied into the transcript of the oral testimony given at the hearing. All such data, views, or arguments will be available for examination at the office of the Hearing Clerk.

Issued at Washington, D. C., this 11th day of October 1948.

[SEAL]

RALPH S. TRIGG,
Administrator.

[F. R. Doc. 48-9090; Filed Oct. 13, 1948;
8:52 a. m.]

17 CFR, Ch. IX]

[Docket No. AO-197]

HANDLING OF MILK IN LIMA, OHIO, MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Supps. 900.1 et seq.; 12 F. R. 1159, 4904), notice is hereby given of a public hearing to be held at the Allen County Memorial Hall, corner Elm and Elizabeth Streets, Lima, Ohio, beginning at 10:00 a. m., e. s. t., November 15, 1948.

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order regulating the handling of milk in the Lima, Ohio, marketing area, the provisions of which are hereinafter set forth, and any modifications thereof. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order and any modification thereof. The provisions of the proposals for a marketing agreement

and order heretofore filed with the undersigned, are as follows:

Marketing agreement and order proposed by the Northwestern Cooperative Sales Association, Inc., Toledo, Ohio:

SECTION 1. Definitions. The following terms as used herein shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 1940 ed. 601 et seq.).

(b) "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

(c) "U. S. D. A." means the United States Department of Agriculture.

(d) "Person" means an individual, partnership, corporation, association, or any other business unit.

(e) "Lima, Ohio marketing area" hereinafter called the "marketing area" means the territory within the corporate limits of Lima, Ohio, and the townships of American, Bath, Shawnee, and Perry, all in the County of Allen, State of Ohio.

(f) "Delivery period" means the calendar month, or the portion thereof, during which the provisions hereof are effective.

(g) "Grade A milk" means milk produced by a person holding a dairy farm inspection permit issued by the Lima Board of Health for the production of Grade A milk.

(h) "Fluid milk plant" means a plant or other facilities used in the preparation or processing of Grade A milk for sale or disposition in the marketing area as Class I milk.

(i) "Producer" means any person who produces milk received (1) at a fluid milk plant, or (2) at any other plant by diversion from a fluid milk plant on the account of a handler or a cooperative association.

(j) "Producer-handler" means a person who is a handler and who produces milk, but receives no milk from other producers.

(k) "Non-Grade A milk" means milk produced under the conditions set forth in (i) of this section by one or more producers not holding a Grade A permit.

(l) "Producer milk" means milk produced by one or more producers under the conditions set forth in (i) of this section.

(m) "Handler" means (1) any person who operates a fluid milk plant, or (2) any association of producers with respect to Grade A producer milk diverted by it from a fluid milk plant to any plant of a non-handler for the account of such association.

(n) "Other source milk" means all skim milk and butterfat in any form received from a source other than a producer or handler (who is not a producer-handler), except any non-fluid milk product so received which is disposed of in the same form.

(o) "Cooperative Association" means any cooperative marketing association of producers which the Secretary deter-

mines, after application by the association: (1) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; (2) to have full authority in the sale of milk of its members and to be engaged in making collective sales or marketing milk or its products for its members; and (3) to have all of its activities under the control of its members.

SEC. 2. Market Administrator—(a) Designation. The agency for the administration hereof shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal by the Secretary.

(b) Powers. The market administrator shall have the following powers with respect to this order:

(1) To administer its terms and provisions;

(2) To receive, investigate, and report to the Secretary, complaints of violations;

(3) To make rules and regulations to effectuate its terms and provisions; and

(4) To recommend amendments to the Secretary.

(c) Duties. The market administrator shall perform all duties necessary to administer the terms and provisions of this order, including, but not limited to, the following:

(1) Within 30 days following the date on which he enters upon his duties, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(3) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(4) Pay, out of the funds provided by section 8:

(i) The cost of his bond and of the bonds of his employees;

(ii) His own compensation; and

(iii) All other expenses, except those incurred under section 9, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(5) Keep such books and records as will clearly reflect the transactions provided for herein, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(6) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not made (i) reports pursuant to section 3, or (ii) payments pursuant to sections 7, 8, 9, or 10;

(7) Submit his books and records to examination by the Secretary and fur-

nish such information and reports as may be requested by the Secretary;

(8) Audit records of all handlers to verify the reports and payments required pursuant to the provisions hereof; and

(9) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(i) On or before the 5th day after the end of such delivery period, the minimum class prices and the butterfat differential for each class computed pursuant to section 5, and

(ii) On or before the 12th day after the end of such delivery period, the uniform price computed pursuant to section 6 (b) and the butterfat differential computed pursuant to section 7 (c).

SEC. 3. Reports, records, and facilities—(a) Delivery period reports of receipts and utilization. On or before the 5th day after the end of each delivery period, each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator the following information with respect to all milk received from producers, all milk, skim milk, cream, and milk products received from other handlers, all other source milk received during the delivery period at his fluid milk plant(s), and milk diverted pursuant to section 1 (i) (2):

(1) The quantities of butterfat and skim milk contained in such receipts, and their sources;

(2) The utilization of such receipts; and

(3) Such other information with respect to such receipts and utilization as the market administrator may prescribe.

(b) Other reports. Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows, except that each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request:

(1) On or before the 20th day after the end of each delivery period his producer pay roll for the delivery period, which shall show (i) the pounds of milk and the percentages of butterfat contained therein received from each producer; (ii) the amounts and dates of payments to each producer or cooperative association; and (iii) the nature and amount of each deduction or charge involved in the payments referred to in (ii) of this subparagraph.

(2) On or before the 5th day after request by the market administrator, a schedule of rates which are charged and paid for the transportation of milk from the farm of each producer to such handler's fluid milk plant. Any changes made in this schedule of transportation rates and the effective dates thereof shall be reported to the market administrator within 5 days of such change.

(c) Records and facilities. Each handler shall maintain, and make available to the market administrator during the usual hours of business, such accounts and records of all of his operations and such facilities as, in the opinion

of the market administrator, are necessary to verify reports, or to ascertain the correct information with respect to (1) the receipts and utilization of all skim milk and butterfat received, including all milk products received and disposed of in the same form; (2) the weights and tests for butterfat and for other contents of all milk and milk products handled; and (3) payments to producers and cooperative associations.

SEC. 4. Classification—(a) Basis of classification. All (1) producer milk received by a handler, (2) skim milk and butterfat in any form received by a handler from other handlers, and (3) other source milk received by a handler at a fluid milk plant, shall be classified in the classes set forth in paragraph (b) of this section.

(b) Classes of utilization. Subject to the conditions set forth in paragraphs (c), (d), (e), (f) and (g) of this section, the classes of utilization shall be:

(1) Class I milk shall be all skim milk and butterfat disposed of in fluid form for consumption as (i) milk; skim milk and buttermilk, except for livestock feed; flavored milk or flavored milk drinks; sweet or sour cream and any cream products which contains less than the minimum butterfat required for fluid cream and (ii) all skim milk and butterfat not accounted for as Class II milk.

(2) Class II milk shall be all skim milk and butterfat accounted for (i) as used to produce a product other than those specified in (1) of this paragraph, (ii) as actual plant shrinkage of skim milk and butterfat received in Grade A milk and non-Grade A milk, but not to exceed 2 percent of such receipts of skim milk and butterfat, respectively, and (iii) as actual plant shrinkage of skim milk and butterfat in other source milk received: *Provided*, That if Grade A milk is utilized as milk, skim milk, or cream in conjunction with non-Grade A milk or other source milk, the shrinkage allocated to each shall be computed pro rata according to the proportions of the volume of skim milk and butterfat, respectively, received from such sources to the total.

(c) Transfers. (1) Skim milk and butterfat disposed of by a handler to another handler in the form of milk, skim milk or cream, shall be Class I milk, unless utilization in Class II is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the delivery period within which such transfer was made: *Provided*, That in no event shall the amount so reported be greater than the amount used in such class by the receiving handler.

(2) Skim milk and butterfat disposed of in the form of milk, cream or skim milk by a handler to a plant other than a fluid milk plant shall be Class I milk, unless (i) in the case of disposition to a person not a handler use is indicated in writing to the market administrator by both the handler and receiver on or before the 5th day after the end of the delivery period within which such transfer was made, and (ii) the receiver maintains books and records showing the utilization of all skim milk and butterfat at his plant which are made available if re-

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quested by the market administrator for the verification of such mutually indicated utilization.

(d) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be classified as Class I milk unless the handler who first received such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

(2) Any skim milk or butterfat classified in one class shall be reclassified if used or reused by such handler or by another handler in another class.

(e) *Computation of skim milk and butterfat in each class.* For each delivery period the market administrator shall correct for mathematical and for obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

(f) *Allocation of butterfat and skim milk classified.* The market administrator shall determine the classification of butterfat and skim milk received from producers as follows:

(1) Butterfat shall be allocated in the following manner:

(i) Subtract from the total pounds of butterfat in Class II the total pounds of butterfat shrinkage pursuant to subdivisions (ii) and (iii) of paragraph (b) (2) of this section.

(ii) Subtract from the pounds of butterfat remaining in each class the pounds of butterfat received from other handlers and used in such class.

(iii) Subtract from the pounds of butterfat remaining in each class in series beginning with the Class II utilization, the pounds of butterfat in other source milk other than butterfat shrinkage in other source milk subtracted pursuant to subdivision (i) of this subparagraph.

(iv) Subtract from the pounds of butterfat remaining in each class, in series beginning with the Class II utilization, the pounds of butterfat in non-Grade A milk other than butterfat shrinkage in non-Grade A milk subtracted pursuant to subdivision (i) of this subparagraph. The pounds of butterfat so subtracted shall be the pounds of butterfat in non-Grade A milk allocated to each class: *Provided*, That to the pounds of such butterfat in Class II shall be added the pounds of butterfat shrinkage in non-Grade A milk subtracted pursuant to subdivision (i) of this subparagraph.

(v) Add to the pounds of butterfat remaining in Class II the pounds of butterfat shrinkage in Grade A milk subtracted pursuant to subdivision (i) of this subparagraph; or if the remaining pounds of butterfat in all classes exceed the pounds of butterfat received in Grade A milk, subtract such excess from the remaining pounds of butterfat in each class in series beginning with the Class II utilization. The pounds of butterfat remaining shall be the pounds in each class allocated to Grade A milk.

(2) Skim milk shall be allocated to each class in a manner similar to that prescribed for butterfat in subparagraph (1) of this paragraph.

SEC. 5. Minimum prices—(a) Basic formula price. The basic formula price per hundredweight of milk to be used in computing the minimum prices for Class I milk provided in this section shall be the average of the basic (or field) prices ascertained to have been paid per hundredweight for milk of 3.5% butterfat content received from farmers during the delivery period at the following plants for which prices are reported to the market administrator by the U. S. D. A. or by companies listed below:

Company and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mt. Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(b) *Class I milk prices.* The minimum prices per hundredweight to be paid by each handler at his fluid milk plant for skim milk and butterfat received from producers during the delivery period, which is classified as Class I milk, shall be determined as follows:

(1) To the basic formula price add the following amounts for the delivery periods indicated:

April, May, June.....	\$0.90
July, August, February, March.....	1.00
All others.....	1.25

(2) Divide the amount determined to be the average wholesale price per pound of 92 score butter on the Chicago market as reported by the U. S. D. A. for the delivery period, times, 1.2, times 3.5, by the sum of this amount plus an amount computed by averaging the carlot prices per pound of nonfat dry milk solids, roller and spray process, f. o. b. Chicago area plants as reported by the U. S. D. A. during the delivery period, deducting 5.5 cents and then multiplying by 8.2.

(3) Multiply the price computed in subparagraph (1) of this paragraph by the quotient determined in subparagraph (2) of this paragraph, and then divide by 0.035. The resulting amount shall be the Class I butterfat price per hundredweight.

(4) From the price determined in subparagraph (1) of this paragraph subtract the amount computed in subparagraph (3) of this subparagraph times 0.035, and divide the remainder by 0.965. The resulting amount shall be the Class I skim milk price per hundredweight.

(c) *Class II milk prices.* The minimum prices per hundredweight to be paid by each handler at his fluid milk plant for skim milk and butterfat received from producers during the delivery period, which is classified as Class II milk, shall be determined as follows:

(1) Average the basic (or field) prices per hundredweight (computed to the

nearest tenth of a cent) for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants for which prices have been reported to the market administrator by the U. S. D. A. or by the companies listed below:

Company and Location

Defiance Milk Products Co., Defiance, Ohio.
Pet Milk Co., Coldwater, Ohio.
Nestles Milk Products Co., Marysville, Ohio.

(2) Multiply the price computed in paragraph (c) (1) of this section by the quotient computed in paragraph (b) (2) of this section and then divide by 0.035. The resulting amount shall be the Class II butterfat price per hundredweight.

(3) Subtract from the price computed in subparagraph (1) of this paragraph the amount computed in subparagraph (2) of this paragraph times 0.035 and divide the remainder by 0.965. The resulting amount shall be the Class II skim milk price per hundredweight.

SEC. 6. Determination of uniform prices—(a) Value of milk. The values of Grade A milk and of non-Grade A milk of each handler for each delivery period shall be the sums of money computed separately by the market administrator by multiplying the pounds of skim milk and butterfat in each class by the applicable class prices and adding together the resulting amounts, provided, that if a handler after the subtraction of other source milk and receipts from other handlers, has disposed of skim milk or butterfat, in excess of the skim milk or butterfat, which on the basis of his reports for the delivery period pursuant to section 3 (a) has been credited to his producers as having been received from them, there shall be added to the value of Grade A milk an amount computed by multiplying the pounds in each class as subtracted pursuant to paragraph (f) (1) (v) and (2) of section 4 by the applicable class prices.

(b) *Computation of prices.* For each delivery period the market administrator shall compute separately the uniform prices per hundredweight, on the basis of 3.5 percent butterfat content, for Grade A milk and non-Grade A milk received by each handler from producers as follows:

(1) From the value of Grade A milk computed for such handler pursuant to paragraph (a) of this section, deduct, if the weighted average butterfat test of all Grade A milk received by him is greater than 3.5 percent or add, if the weighted average butterfat test of such milk is less than 3.5 percent, an amount computed by multiplying the total pounds of butterfat represented by the variance of such weighted average butterfat test from 3.5 percent by the butterfat differential computed pursuant to section 7 (c) multiplied by 10;

(2) Add or subtract, as the case may be, the amount necessary to correct errors in classification for previous delivery periods as disclosed by audit of the market administrator.

(3) Adjust the resulting amount by the sum of money used in adjusting the uniform price to the nearest cent, pur-

suant to (5) of this paragraph for the preceding delivery period;

(4) Divide the result by the total hundredweight of Grade A milk represented by the value computed pursuant to paragraph (a) of this section; and

(5) Adjust the resulting figure to the nearest cent.

(6) Compute the uniform price per hundredweight for non-Grade A milk for each handler in a manner similar to that prescribed for Grade A milk in subparagraphs (1), (2), (3), (4) and (5) of this paragraph.

(It is also proposed that consideration be given to alternative provisions which would provide for the payment by each handler to all producers or associations of producers delivering milk to each handler of a uniform market price based upon the uses made of all producer milk by all handlers.)

(c) *Notification.* On or before the 12th day after the end of each delivery period, the market administrator shall mail to each handler, at his last known address, a statement showing:

(1) The amount and value of his Grade A milk and non-Grade A milk in each class;

(2) The uniform prices for Grade A milk and for non-Grade A milk for such handler pursuant to paragraph (b) of this section and the butterfat differentials computed pursuant to section 7 (c); and

(3) The totals of the amounts to be paid by such handler pursuant to sections 8 and 9.

SEC. 7. Payment for milk—(a) Time and method of final payment. On or before the 15th day after the end of each delivery period, each handler shall pay to each producer or to an association of producers, with respect to milk which was caused to be delivered to him by such association either directly or from producers who have authorized such association to collect payment for them, for milk received from each producer or from an association of producers, respectively, during such delivery period at not less than the uniform price for such handler adjusted by the butterfat differential pursuant to paragraph (c) of this section, less the amount of payment made pursuant to paragraph (b) of this section.

(b) *Partial payments.* On or before the last day of each delivery period, each handler shall pay to each producer, or to an association of producers authorized to receive payment, at not less than the uniform price for such handler for the preceding delivery period, for milk received from such producer or association of producers by such handler during the first 15 days of the delivery period: *Provided,* That in the event any producer discontinues shipping to such handler during the delivery period, such partial payments shall not be made and full payment for all milk received from such producer during the delivery period shall be made on the 15th day after the end of the delivery period pursuant to paragraph (a) of this section.

(c) *Producer butterfat differential.* In making payments pursuant to paragraph (a) of this section the uniform price for

each handler shall be adjusted, for each one-tenth of one percent of butterfat content in the milk of each producer above or below 3.5 percent, as the case may be, by a butterfat differential (computed to the nearest half cent) calculated as follows: Multiply by 1.2 the average daily wholesale price per pound of 92 score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

SEC. 8. Expense of administration. As his prorata share of expense incurred pursuant to section 2 (c) (4), each handler shall pay the market administrator, on or before the 15th day after the end of each delivery period, 3 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, with respect to receipts, during such delivery period, of (a) milk from producers (including such handler's own production), and (b) other source milk at a fluid milk plant and classified as Class I milk.

SEC. 9. Marketing services—(a) Deductions for marketing services. Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to section 7 (a), with respect to all milk received from each producer (except milk of such handler's own production) at a plant not operated by a cooperative association of which such producer is a member, shall deduct 4 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe; and on or before the 15th day after the end of such delivery period, shall pay such deductions to the market administrator. Such moneys shall be expended by the market administrator to verify weights, samples, and tests of milk of such producers and to provide such producers with market information, such services to be performed by the market administrator, or by an agent engaged by and responsible to him.

(b) *Cooperative association.* In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members, and for whom a cooperative association is actually performing the services described in paragraph (a) of this section, as determined by the market administrator, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section; such deductions from payments required pursuant to section 7 (a) as may be authorized by the membership agreement or contract between such cooperative association and such producers, and pay such deductions on or before the 15th day after the end of such delivery period to the cooperative association rendering such services of which such producers are members.

SEC. 10. Adjustments of accounts—(a) Errors in payments. Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (1) the market administrator from such handler, or such handler from the market administrator pursuant to section 8

or 9, or (2) any producer or cooperative association from such handler pursuant to section 7, the market administrator shall promptly notify such handler of any such amount due; and said payment thereof shall be made on or before the next date for making payment set forth in the provisions under which such error occurred, following the 5th day after such notice.

SEC. 11. Application of provisions—(a) Exempt milk. Milk received at a plant of a handler the handling of which the Secretary determines to be subject to the pricing and payment provisions of any other Federal milk marketing agreement or order issued pursuant to the act for any fluid milk marketing area shall not be subject to the pricing and payment provisions hereof.

(b) *Milk caused to be delivered by cooperative associations.* Milk referred to herein as received from producers by a handler shall include milk of producers caused to be delivered directly from the farm to the fluid milk plant of such handler by a cooperative association which is authorized to collect payment for such milk.

(c) *Diverted milk.* (1) Producer milk diverted by an operator of a fluid milk plant from such plant to a plant not a fluid milk plant shall be deemed to have been received by the fluid milk plant from which such milk was diverted.

(2) Producer milk diverted by a cooperative association from a fluid milk plant to a plant which is not a fluid milk plant shall be deemed to have been received by such association.

(d) *Producer-handlers.* Sections 4, 5, 6, 7, 8, 9 and 10 shall not apply to the milk of a producer-handler.

SEC. 12. Effective time. The provisions hereof, or of any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

SEC. 13. Suspension or termination—(a) When suspended or terminated. The Secretary shall, whenever he finds that this order or any provision thereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this order or any such provision thereof.

(b) *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this order there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

(c) *Liquidation.* Upon the suspension of the provisions hereof, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the mar-

ket administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

SEC. 14. Agents. The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

SEC. 15. Separability of provisions. If any provision hereof, or its application to any person or circumstances, is held invalid, the application of such provisions, and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

SEC. 16. Liability of handlers. The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

Proposed by the Dairy Branch, Production and Marketing Administration:

SEC. 3 (d). Retention of records. All books and records required under this order to be made available to the market administrator shall be retained and made available by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided*, That if, within such three-year period, the market administrator notifies a handler in writing that the retention of such books and records is necessary in connection with a proceeding under section 8c (15) of the act or a court action specified in such notice, the handler shall retain such books and records until further written notification from the market administrator.

SEC. 17. Termination of obligation. The provisions of this section shall apply to any obligation under this order for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before July 1, 1949, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this order shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's report of utilization of the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

- (1) The amount of the obligation;
- (2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and
- (3) If the obligation is payable to one or more producers or to an association

of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this order, to make available to the market administrator or his representatives any books or records required by this order to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period shall not begin to run until the first day of the calendar month following the month during which such books and records are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this order shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or within two years after payment was made by the handler if a refund on such payment is claimed, unless such handler, within said periods of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

Copies of this notice of hearing may be procured from the Hearing Clerk, Room 1844, United States Department of Agriculture, South Building, Washington 25, D. C., or may be there inspected.

Dated: October 11, 1948.

[SEAL] JOHN L. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-9089; Filed, Oct. 13, 1948;
8:52 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Part 17]

[Docket No. FDC-31 (b)]

BREAD AND RELATED PRODUCTS

DEFINITIONS AND STANDARDS OF IDENTITY

In the matter of a definition and standard of identity for each of the following foods: (a) Bread, and rolls or buns; (b) enriched bread, and enriched rolls or enriched buns; (c) milk bread, and milk rolls or milk buns; (d) cream bread, and cream rolls or cream buns; (e) butter bread, and butter rolls or butter buns; (f) egg bread, and egg rolls or egg buns; (g) honey bread, and honey rolls or honey buns; (h) butter and egg bread, and butter and egg rolls or butter

and egg buns; (i) milk and honey bread, and milk and honey rolls or milk and honey buns; (j) raisin bread, and raisin rolls or raisin buns; (k) whole wheat bread, and whole wheat rolls or whole wheat buns; (l) breads, and rolls or buns made with mixtures of flour, whole wheat flour, cracked wheat, crushed wheat.

Notice of hearing. Notice is hereby given that the Federal Security Administrator in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055; 21 U. S. C. 341, 371) will reopen the record in the above matter and hold further hearings commencing at 10:00 o'clock in the morning of November 30, 1948, in Room 5140, Federal Security Building, Independence Avenue and Fourth Street SW., Washington, D. C., for the purpose of taking additional evidence for use in the formulation of definitions and standards of identity for bread and rolls or buns; enriched bread and enriched rolls or enriched buns; milk bread and milk rolls or milk buns; raisin bread and raisin rolls or raisin buns; whole wheat bread; graham bread; entire wheat bread; whole wheat rolls or buns; and breads, rolls, and buns made with mixtures of flour, whole wheat flour, cracked wheat, crushed wheat.

Pursuant to notices published in the FEDERAL REGISTER on June 7, 1941, and March 19, 1943, hearings were duly held at which evidence was taken with respect to definitions and standards of identity for the various breads named in such notices. On the basis of evidence received at said hearings a proposed order was published in the FEDERAL REGISTER on August 3, 1943 (8 F. R. 10780). Exceptions to the proposed order were duly filed, but promulgation of a final order was postponed at the request of the War Food Administration, due to emergency conditions. In view of the time that has elapsed it is concluded that the record should be reopened to take new and relevant evidence that may have become available and that should be considered together with evidence taken at the previous hearings before a revised proposed order is issued.

Evidence at the hearing will be limited to that which is material and relevant to the proposed order of August 3, 1943, and that is not repetitive or unduly cumulative of evidence at the prior hearings.

The findings of fact and definitions and standards of identity in the proposed order published in the FEDERAL REGISTER on August 3, 1943 (8 F. R. 10780), are as follows:

Findings of fact.¹ 1. The food commonly and usually known as "bread" or "white bread", and that commonly and usually known as "rolls", "white rolls", "buns" or "white buns", are each prepared by baking a kneaded yeast-leavened dough made by moistening flour with water (or with certain other liquid ingredients hereinafter specified,

¹The page references to certain relevant portions of the record are for the convenience of the reader; however, the findings of fact are not based solely on that portion of the record to which reference is made but on consideration of all the evidence of record.

alone or in combination with water), with the addition of salt, and usually with the addition of certain other ingredients, as hereafter set forth. Bread and rolls are sometimes prepared from bromated flour or phosphated flour or both, with or without admixture with plain flour. (R. pp. 30, 49, 57, 59-62, 69, 70, 71, Ex. A)

2. Rolls differ from bread in the size of the units baked, and usually in their shape. A reasonable and satisfactory differentiation is that a loaf of bread weighs after cooling one-half pound or more, whereas a roll after cooling weighs less than one-half pound. (R. pp. 60-62, 69, Ex. A)

3. All bread and rolls contain moisture. Excessive moisture content tends to defraud consumers. A reasonable maximum limitation upon the moisture, which is somewhat in excess of the usual content, is 38 percent by weight, the solids being not less than 62 percent. A satisfactory and reliable method for determining the total solids contained in bread and rolls is the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940, page 229, under "Total Solids in an Entire Loaf of Bread—Official", except that if the baked unit weighs one pound or more one entire unit is used for the determination, and if the baked unit weighs less than one pound such number of entire units as weigh one pound or more are used for the determination. (R. pp. 64, 68, 85-87, 138-142, Ex. A, Ex. 2)

4. Shortening is commonly, but not always, added to bread dough. Any food fat or food oil, including butter, oleomargarine, and cream, or any mixture of two or more of these, is suitable for this purpose. For the purpose of furthering the shortening action of these fats and oils, soybean lecithin (which with its associated phosphatides is commercially known as "lecithin") and monoglycerides and diglycerides of fat-forming fatty acids are sometimes used and are suitable for use in such shortening. (R. pp. 71-73, 194, 198, 209-213, 228-229, 243-244, 269-270, 295, 307, 327, 464-466, 496-497)

5. The quantity of shortening used in bread dough varies rather widely. Although the evidence is not sufficiently definite to establish a maximum limit for shortening, the usual quantities are between 2 to 6 parts by weight for each 100 parts by weight of flour used, and seldom exceed 12 parts except in the cases of "sweet goods" and "specialty goods", products so distinctively different from bread and rolls as to be unlikely to be confused by consumers with bread or rolls. Such products usually contain from 12 to 30 parts of shortening. (R. pp. 368, 2543-2544, 2549, 2594, 2597, Ex. D)

6. Milk and various milk products are widely used in making bread and rolls, and serve to improve their nutritional value and to lend other desirable characteristics. In addition to fluid milk there have been used for these purposes, singly or in combination, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, con-

centrated skim milk, evaporated skim milk, sweetened condensed skim milk, and dried skim milk (including products from which part but not all of the milk fat has been separated). (R. pp. 73-75, 128-130, 438-440, 449, Ex. A)

7. In order to set bread made with any of the dairy ingredients specified in finding 6 apart from milk bread, it is reasonable that such ingredients (together with any butter and cream used) in bread be so limited in quantity or composition as not to meet the requirements prescribed in findings 42 to 45, inclusive, for the quantity and composition of such ingredients in milk bread. (R. pp. 74, 129)

8. Buttermilk, concentrated buttermilk, dried buttermilk, sweet cream buttermilk, concentrated sweet cream buttermilk, and dried sweet cream buttermilk, singly or in combination, are sometimes used in making bread or rolls for purposes similar to those stated for the dairy ingredients specified in finding 6. (R. pp. 75-76, 128, 1627-1629, 1638-1639)

9. Liquid eggs, frozen eggs, dried eggs, egg yolks, frozen yolks, dried yolks, egg white, frozen egg white, and dried egg white, singly or in combinations with each other, are sometimes used in making bread or rolls for the purpose of improving the nutritional value and imparting other desirable characteristics. (R. pp. 76, 130, Ex. A)

10. As the quantity of egg solids or egg yolk solids in the dough is increased the characteristics imparted to the baked product by such solids become more noticeable. The evidence does not establish the point at which the quantity of such solids results in products of different identities from white bread and white rolls, although the evidence indicates that such point lies between 2 parts and 5 parts for each 100 parts of flour. (R. pp. 131, 2669-2672)

11. Certain saccharine products are commonly used in making bread or rolls to furnish fermentable carbohydrates, to control the color of the crust, and to alter the taste, frequently to the extent of imparting some sweetness to the finished product. These include sugar, invert sugar (in sirup or congealed form), light-colored molasses, light-colored brown sugar, refiners sirup, dextrose, honey, corn sirup, dried corn sirup, nondiastatic malt sirup, and nondiastatic dried malt sirup. All of these products, used either singly or in combinations with each other, are satisfactory for the purposes stated. (R. pp. 76-77, 131, 712, 714-715, 740-741, 781, 785, 788, 795-797, Ex. A)

12. So-called "blackstrap molasses" and dark-colored brown sugar, by reason of their color and other properties, are unsuitable for use in bread or rolls. Concentrated water extract of raisins and concentrated water extract of prunes have been proposed as saccharine ingredients in bread or rolls, but are not shown to be suitable for this purpose, especially because of their color and taste. (R. pp. 670-672, 691, 743-744, 754-755, 1759-1761)

13. If carbohydrates are desired only for yeast fermentation, the quantity of saccharine substances added generally

does not exceed 3 parts by weight (on a dry basis) for each 100 parts by weight of flour. When the baker wishes to produce some minor change in taste or in the appearance of the crumb or crust, increased quantities are used. Such baked products are considered by consumers as ordinary white bread or rolls unless they are definitely sweet or have acquired other definite characteristics from such ingredients. (R. pp. 327, 359, 791, 1046-1047, Ex. D)

14. It is impracticable to prescribe a maximum limit for saccharine ingredients generally in white bread or rolls because of the wide differences in the respective sweetness and other characteristics of such ingredients and because even where sugar alone is used the evidence is not definite as to the quantity above which an article ceases to be ordinary bread or becomes "sweet goods", although 16 parts by weight of sugar to each 100 parts by weight of flour appears to be about the average for sweet goods. (R. pp. 2744, 2947, 2979, 2983, 2990, Ex. D)

15. Malt sirup, dried malt sirup, malted barley flour, and malted wheat flour, each of which is diastatically active, are frequently used, singly or in combinations with each other, in making bread or rolls. Generally the use of these substances is for the purpose of compensating for a deficiency of natural enzymes in the flour used, and when used for this purpose alone is limited to quantities about 0.25 percent of the weight of the flour. In certain kinds of hearth bread, however, quantities of malt sirup or dried malt sirup as high as 4 percent, or even higher, are used to improve the crust characteristics, especially the color of crust. (R. pp. 505-509, 517-519, 522-523, 527-530)

16. Consumers normally expect white bread and rolls to be essentially products of wheat flour. At various times in the past, however, when there has been a scarcity of wheat flour, other similar grain products, especially corn flour, have been extensively used to replace part of the flour in making bread and rolls. Potato mash was sometimes used to develop a preliminary yeast growth, and was incorporated in the dough. So-called "dusting flour", often consisting in whole or in part of products other than wheat flour, has long been in common use to prevent the dough from sticking to the receptacles or to molding or other machinery; a considerable proportion of such dusting flour becomes incorporated in the dough. Dextrinized starch is believed by many to have the property of retaining moisture in bread after baking. The advisory standards issued by the Secretary of Agriculture for white bread, beginning with the first such standard in 1923, have all recognized the propriety of such practices to the extent of the replacement of not more than 3 percent of the wheat flour by some "other edible farinaceous substance". (R. pp. 27, 30, 34, 77-78, 111-112, 1762-1764)

17. Products which have been used and are suitable for one or more of the purposes stated in finding 16 are corn flour (or finely ground corn meal), potato

flour, rice flour, cornstarch, potato starch, sweet potato starch, and wheat starch. Sometimes these products are wholly or in part dextrinized. Dextrinized wheat flour is also suitable for such use. (R. pp. 77-78, 105, 111-115, 132-133, 567-568, Exs. M and O)

18. Use in making white bread or rolls of any one or more of the products specified in finding 17, in a total quantity not greater than 5 parts by weight for each 100 parts by weight of wheat flour used, does not run counter to the normal expectation of present-day consumers. (R. pp. 34, 49, 78, 133, Ex. A)

19. Products referred to as "soybean flour," "peanut flour," and "cottonseed flour" were proposed for use, in quantities up to 3 parts per 100 parts of flour, as optional ingredients in bread and rolls. These products were claimed to serve the same purposes as the products specified in finding 17, and to contribute substantial nutritive values. (The proposal of "cottonseed flour" as an ingredient in white bread and rolls was subsequently withdrawn.) The evidence does not show that any of these products (except the soybean product referred to in finding 23) has been used to any material extent in making bread or rolls. These products contain far more protein and less starch than wheat flour, differ widely from the products specified in finding 17, and do not perform the same functions. (R. pp. 538, 540, 613-630, 640, 1765, 1772, 3897-3908, 3910)

20. Rolled oats, ground oatmeal, and oat flour were proposed as optional ingredients for inclusion with the products specified in finding 17, on the ground that such oat products are economical and nutritious foods and furnish a distinctive and desirable flavor. The evidence does not establish that any of these products has been used in making white bread or rolls, or their suitability for such use. (R. pp. 1768-1769, Ex. P)

21. The evidence does not establish that the use of the products listed in findings 19 and 20 results in any significant improvement when the quantities used are not more than 3 parts to each 100 parts of flour; it does indicate that the inclusion of such products in white bread would run counter to the normal expectation of consumers. The evidence furnishes no basis for a determination as to what quantities of such products should be used with flour to produce such differences from white bread as would result in different identities recognizable as such by consumers. (R. pp. 624-627, 633-643, 1769-1772, 3914-3915, 3937-3938, 3942-3945)

22. Wheat germ processed in various ways to modify its enzymatic activity and to prevent rancidity has been used as an ingredient in some white bread. The processing may consist of heating it, treating it with potassium bromate, removing part of the wheat germ oil, and possibly of treating it in other ways suggested but not described in the record. Such processed wheat germ was proposed as an optional ingredient for the purpose of imparting flavor and improving other characteristics of white bread. No proposal was advanced for recognition of use of unprocessed wheat germ such as that naturally present in small amounts

in flour. The testimony as to these benefits from the use of small amounts of wheat germ in white bread (1½ to 2 parts by weight of processed wheat germ per 100 parts by weight of flour) is not convincing.

On the other hand, there was evidence establishing that the use of processed wheat germ in white bread has led to labeling and advertising claims based on its vitamin and mineral content, such as would likely confuse consumers with respect to identity and relative nutritive properties of bread and enriched bread. (Cf. findings 36, 37, 38, and 44 on enriched flour, 6 F. R. 2576-7) (R. pp. 116-118, 559-572, 576-577, 579-580, 584-585, 589-591, 593-605, 1765-1767, 3292-3293, 3298, 3367-3368, Ex. ZZ)

23. Ground dehulled soybeans, with or without heat treatment and with or without removal of oil, but which retain their enzymatic activity, exert a bleaching action upon flour in bread dough. The use of these products in dough permits the production of light-colored bread or rolls from unbleached or slightly bleached flour. For this purpose it is not necessary to use these products in a quantity greater than 0.5 part by weight to each 100 parts by weight of flour used. Ground dehulled soybeans have been used for this purpose in substantial amounts for more than 10 years. (R. pp. 111-113, 165-166, 539-540, 545, 552-555, 3926-3933)

24. In making bread and rolls it has become a widespread practice to add to the dough small quantities of certain mineral salts, commonly known by such designations as "yeast foods", "dough conditioners", "bread improvers". Calcium and ammonium salts are used to stimulate the growth of yeast during fermentation. Other salts, which act as oxidizing agents, are used to regulate the process of fermentation though the evidence establishes no satisfactory scientific explanation of the mechanism of their action. The evidence indicates that the addition of so-called dough conditioners tends to lessen the variability in the qualities of the dough resulting from differences in characteristics of the flour used, differences in water supply, and other factors, and thereby to facilitate the handling of the dough in mechanized bakeries. (R. pp. 78-82, 133-135, 838-858, 875-876, 892-900, 904-905, 995-999, 1014, 1034-1035, 1065, 1071-1074, 1080)

25. Calcium salts used for the purpose described in finding 24 are monocalcium phosphate, dicalcium phosphate, calcium sulfate, and calcium lactate. Ammonium salts used for this purpose are mono-ammonium phosphate, di-ammonium phosphate, ammonium sulfate, ammonium chloride, ammonium carbonate and ammonium lactate. It is not necessary to use any of these salts or any combination of them in a quantity greater than 0.25 part by weight for each 100 parts by weight of flour used. (R. pp. 78-81, 104, 133-135, 831, 838-840, 870, 883-884, 887-888, 990, 992-993)

26. Oxidizing agents used for the purposes described in finding 24 are potassium bromate, potassium iodate, calcium peroxide, ammonium persulfate, potassium persulfate, and sodium chlorite.

It is not necessary to use any of these oxidizing agents or any combination of them (including the potassium bromate contained in any bromated flour used) in a quantity greater than 0.0075 part by weight for each 100 parts by weight of flour used. (R. pp. 78-81, 135-136, 840-841, 895-900, 933-935, 990-994)

27. A product described as "grain infusion" was proposed for use as a yeast food and bread improver. It is a mixture of concentrated corn steepwater, neutralized with calcium carbonate, and dextrinized cornstarch with added ammonium chloride, salt, and potassium bromate. The concentrated steepwater, a byproduct of the starch industry now generally used for cattle feed, is made by concentrating the liquid obtained by steeping corn in water containing 0.15 percent of sulfur dioxide. The so-called "grain infusion" as sold to the baker contains approximately 0.002 percent of sulfur dioxide, which is oxidized during fermentation and baking. The evidence does not establish that this so-called "grain infusion" is suitable for use in bread or that it improves the quality of bread otherwise than through the action of the calcium and ammonium salts and the potassium bromate contained in it. (R. pp. 946-981, 1776, 2146-2175, 4106-4112, 4129-4130, 4134)

28. Amino acids, especially cystine, were proposed for use as oxidizing agents. The evidence does not establish the suitability of such acids for use in bread or rolls. (R. pp. 1773-1775 Ex. W)

29. Spice is sometimes added to bread or rolls, usually on the surface but occasionally by incorporation in the dough. Spice oil and spice extracts have been used to a slight extent. Such additions materially affect the flavor of the bread or rolls. Consumers do not ordinarily expect such additions unless announced by appropriate label statement. Such statements which are accurate and informative are "Spiced", "Spice Added", "With Added Spice", or such statements in which the common or usual name of the spice is substituted for the word "spice". (R. pp. 84, 1817-1820)

30. Bread is subject to deterioration and spoilage. The most common form of deterioration is staling. Old bread or stale bread is almost universally regarded as less desirable than fresh bread. Staling in bread may be retarded by various devices. The length of time for staleness to develop varies, depending on several factors, but it is the common practice of many bakers to withdraw bread from sale two days after baking. Some bakers make a price concession on bread over one day old. (R. pp. 435, 1162, 1407-1408, 1438-1440, 2365, Exs. FF, GG)

31. In addition to staling, bread is subject to spoilage from the growth of mold. If the surface of bread is moist, it is a good medium for the growth of mold spores. The temperature of baking effectively destroys any mold spores in the dough, but such spores may be present in the bakery and bread not suitably protected during and after cooling may become contaminated with such spores. When bread is sliced and wrapped, as is the common practice among large bakeries, the moisture re-

maining in the bread is held inside the wrapper, keeping the surface of bread moist and so creating a favorable environment for the growth of mold spores which may have accumulated on the surface of the loaf or of the slices prior to wrapping. Unwrapped bread from which moisture can evaporate readily is less likely to become moldy. Mold development on bread is most rapid in warm weather, especially when the humidity is high. (R. pp. 1124-1137, 1140, 1143, 1270, 1481, 1500, Ex. AA)

32. The time necessary for the development of visible mold varies greatly, depending on a number of conditions. Under conditions most favorable to mold growth, a visible speck of mold may develop within one or two days after exposure of the bread to the spores. Under normal summer conditions, however, several days will elapse between the time of contamination and the appearance of a mold spot sufficiently large to be noticed. (R. pp. 1143, 1409, 1413, 1473, 1490-1491)

33. A considerable number of bakers take no steps to protect their bread from mold other than controls within the bakery which tend to prevent contamination of the bread with mold spores. A few bakers have installed special precautionary devices for this purpose which are elaborate and beyond the means of bakers generally. Methods available to most bakers do not wholly prevent contamination, and where this occurs in sufficient degree and conditions are favorable to mold growth losses of bread may follow. Many bakers, and probably a majority of wholesale bakers, have adopted the practice of adding to the dough, at least during summer months, some substance which will retard the growth of mold on the bread. Proposals were made to recognize as optional ingredients for this purpose sodium and calcium propionates and sodium diacetate. (R. pp. 1138-1139, 1151, 1154, 1476-1479, 1673, 1674, 3879-3880, 3986, 4046-4047, Exs. X, QQ)

34. In addition to spoilage from mold, decomposition and spoilage in bread are caused on rare occasions by the growth inside the loaf of a type of bacterium which, in spore form, can survive the temperature of baking. This bacterium, *Bacillus mesentericus*, causes spoilage which in advanced stages is characterized by an unpleasant odor and a pasty consistency of the center of the loaf. This pasty material will pull out into fine threads, and such bread is said to be "ropy". *B. mesentericus* is known as the rope-forming organism. (R. pp. 1163-1164, 1166, 1231, 1425, 2658, 2993-2994, 3001, 3820-3822, 4045)

35. Technical experts in the baking industry are not entirely in agreement as to how the rope organism enters bread dough but they generally agree that the most probable means is through use in preparing the dough of raw materials contaminated with numerous spores of the organism. There is some possibility that spores may be air-borne and enter the dough from the air circulating in the bakery. In order for spoilage from rope organisms to develop in bread there must be a combination of circumstances, where a consider-

able number of spores enter the dough and where the bread is held for some time after baking at a high temperature under conditions whereby the moisture in the bread is retained. Where such a combination of circumstances occurs, large losses may occur from such spoilage. (R. pp. 1165-1167, 1169, 1353-1354, 1495, 2190, 3813, 3819, 3824, Exs. HH, II)

36. A considerable number of bakers take no steps for the protection of bread from rope other than by the use of ingredients sufficiently low in spore content. The ordinary baker, however, has no means of quickly testing ingredients to determine if they are contaminated with rope-forming organisms and must rely upon suppliers to furnish ingredients which are safe to use. Much progress has been made by suppliers in safeguarding their product. Many bakers, however, probably including a majority of wholesale bakers, at some time during the year add some type of ingredient to dough as additional assurance against rope development. (R. pp. 1174, 1294-1298, 1502, 3826, 3832, 3870-3871, 4042, 4044, Exs. HH, WWW)

37. It was found several years ago that materials which render the dough slightly more acid than normal are effective in preventing the development of the rope organism. The acidity of the finished bread need not be greater than pH 5.0. The necessary increase in acidity is frequently effected by adding about a pint of 100-grain vinegar for each 100 pounds of flour used in the dough. Another product used by bakers for increasing acidity is monocalcium phosphate, which is the acidifying ingredient in phosphated flour. About 1/2 pound or less of monocalcium phosphate per 100 pounds of flour usually increases acidity sufficiently for this purpose, or phosphated flour may be used. Other acids which are said not to interfere with yeast growth have also been tried to a limited extent but have no advantage over vinegar or monocalcium phosphate and, so far as the record shows, such other acids are not now in use. In more recent years it has been found that sodium and calcium propionates are effective in retarding the growth of rope organism without a significant change in acidity. Even more recently sodium diacetate, which liberates acetic acid in the dough, has been used in lieu of vinegar and monocalcium phosphate as insurance against possibility of rope. (R. pp. 137, 1040, 1170, 1174, 1183-1184, 1644, 1674-1679, 3818, 3968-3969, 3976-3977, Exs. JJ, KK)

38. The quantity of calcium propionate or sodium propionate or both, used in white bread for the purposes indicated in findings 33 and 37 need not exceed 0.32 part by weight for each 100 parts by weight of flour used. The quantity of sodium diacetate used for such purposes need not exceed 0.4 part by weight. The quantity of any vinegar used for the purposes indicated in finding 37 need not exceed 1 pint of any vinegar of 100-grain strength for each 100 pounds of flour used, or corresponding amounts of vinegar of less strength to furnish an equivalent amount of acetic acid. The quantity of monocalcium phosphate used for the purposes indi-

cated in finding 37 exceeds the amount used as a yeast food (for which purpose the maximum amount used is 0.25 part for each 100 parts by weight of flour used) but does not exceed 0.75 part for each 100 parts by weight of flour. (R. pp. 1322-1323, 1413, 1486, 1649, 1680, 1687, 3964, 3969, 3976, 3977, Ex. X)

39. The evidence shows that a substantial proportion of the bakers do not consider that they have a mold or rope problem and that they use none of the substances referred to in finding 37. Most bakers consider that they do have a mold or rope problem during the months of relatively high temperature, particularly when the humidity is high, and these bakers use such substances during those months. Some bakers consider that they have a mold and rope problem throughout the entire year and use such substances continuously. The evidence points to possibilities that the use of such substances may result in practices contrary to consumer interest but does not establish that such practices exist or are likely to develop to any material extent. (R. pp. 1412, 1428-1429, 1453-1459, 1478-1479, 1495, 1697, 2187-2191, 3003-3005, 3879, 3880, 3986, 4046-4047, Ex. QQ)

40. All of the substances used as set forth in finding 38 act as preservatives in bread and rolls in that they delay spoilage by certain micro-organisms. All of such substances, except vinegar, are chemicals within the usual meaning of that term. (R. pp. 2046-2048, 2050)

41. The foods commonly and usually known as "milk bread" and "milk rolls" or "milk buns" differ from bread and rolls primarily in that they contain a certain minimum of milk solids. Findings 2 to 5 and 9 to 41, inclusive, are applicable to milk bread and milk rolls. (R. pp. 35, 1830, 1831, 2415, 2527, 2586, Ex. A)

42. Milk bread is prepared in the home and to a considerable extent in commercial bakeries by using milk as the sole ingredient for moistening the flour and other ingredients to make the dough. However, many bakers use, instead of milk, various milk products with or without water, containing essentially the same quantity of milk solids as would be supplied by milk when it is used as the sole wetting agent. Milk products which are used for this purpose and which are suitable for such use are concentrated milk, evaporated milk, sweetened condensed milk, dried milk, and reconstituted milk (see finding 44). (R. pp. 1836-1837, 2527-2528, Exs. A, III)

43. The solids of milk may be divided into two well-recognized components, milk fat and nonfat milk solids. The relative proportion of fat and nonfat milk solids varies somewhat, but in milk of average composition as delivered to consumers the quantity of nonfat milk solids is not more than 2.3 times the quantity of milk fat. In milks of greater richness than average milk the fat content may rise to a point where the nonfat milk solids is about 1.2 times the milk fat. (R. pp. 1838, 2371-2383, 2529, Exs. 4, AAA, LLL)

44. The dairy ingredients used to supply milk constituent solids in the reconstitution of milk for making milk bread

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are skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, dried skim milk, or any two or more of these, combined with butter or cream or both. Unless a maximum limit is set on the proportion of nonfat milk solids to milk fat in reconstituting milk, abuses can easily arise through the use of decreasing quantities of milk fat and increasing quantities of the less expensive nonfat milk solids. It is reasonable to require that when reconstituted milk is used, the proportion of nonfat milk solids to milk fat fall within the range set forth in finding 43. (R. pp. 444-447, 1830, 1833, 1836, 1838, 1846, 2507, 2509, Exs. 2, III)

45. The quantity of water necessary to make flour into dough varies somewhat, but it is generally about 60 pounds to each 100 pounds of flour and in practically no case is less than 58 pounds to 100 pounds of flour. In milk of average composition, 58 pounds of moisture is associated with 8.23 pounds of milk solids; a reasonable minimum requirement for milk solids in milk bread made with dairy ingredients other than fluid milk is 8.2 pounds to each 100 pounds of flour. Because of variation in the total solids content of fluid milk and because of differences in the quantity of moisture absorbed in making the dough it would not be reasonable to prescribe a minimum based on the average composition of milk for the milk solids content of milk bread when fluid milk is used as the sole moistening in-

gredient. (R. pp. 452-454, 1840, 2445-2446, 2565, 2566, 2607)

46. Milk bread is generally considered by consumers to be made from milk and not from buttermilk. Buttermilk and its products, such as those listed in finding 8, are not appropriate ingredients of milk bread. (R. pp. 443, 1840-1842, 2419)

47. In the announcement of the hearing definitions and standards of identity were proposed for:

Cream bread and cream rolls or cream buns,

Butter bread and butter rolls or butter buns,

Egg bread and egg rolls or egg buns,

Butter and egg bread and butter and egg rolls or butter and egg buns,

Honey bread and honey rolls or honey buns,

Milk and honey bread and milk and honey rolls or milk and honey buns.

In each instance the American Bakers Association proposed other definitions and standards differing from the proposals for hearing chiefly in that they would require substantially lesser amounts of the ingredients indicated by the names of the various kinds of bread and rolls or buns. (R. Ex. 1. Also see page references under finding 48.)

48. The quantities of the characterizing ingredients specified in the published proposal and the quantities recommended by the American Bakers Association are shown in the following tabulation ("parts" signify parts by weight for each 100 parts by weight of flour used in preparing dough):

	Published proposals	Proposals by American Bakers Association
Cream bread.....	12 parts of milk fat from cream or combination of milk fat and nonfat milk solids in certain specified proportions.	4 parts milk fat.
Cream rolls.....		
Cream buns.....		
Butter bread.....	12 parts milk fat from butter.....	Do.
Butter rolls.....		
Butter buns.....		
Egg bread.....	5 parts of egg solids.....	2 parts of egg solids.
Egg rolls.....		
Egg buns.....		
Butter and egg bread.....	12 parts milk fat from butter, 5 parts egg solids.	4 parts milk fat, 2 parts egg solids.
Butter and egg rolls.....		
Butter and egg buns.....		
Honey bread.....	16 parts honey solids.....	4 parts.
Honey rolls.....		
Honey buns.....		
Milk and honey bread.....	Milk content same as for milk bread, 16 parts honey solids.	Milk content same as for milk bread, 4 parts honey solids.
Milk and honey rolls.....		
Milk and honey buns.....		

¹ 3 parts of honey solids was recommended by a witness introduced by the American Bakers Association (R. pp. 2868, 2870).

(R. pp. 1849-1854, 2423-2425, 2427-2428, 2476-2479, 2552-2555, 2568, 2623-2625, 2638, 2644-2645, 2673, 2703, 2713, 2717, 2739-2746, 2755-2757, 2759-2760, 2795-2796, 2820, 2837-2838, 2846, 2933, 2965, 3046-3047, 3049-3051, 3061, 3068)

49. There have been sold at times under the names of the products listed in finding 48, or under similar names, breads containing little or none of the ingredients for which the breads have been named. This practice has not been widespread. The amount of such bread is small in comparison with the total amount of bread sold but this practice has tended to mislead the consumer, giving the impression that these ingredients are used in such substantial amounts as to characterize the breads. (R. pp. 1851, 1854, 2339-2340, 2476, 2478, 2497-2498, 2617-2620, 2625, 2627, 2631, 2640, 2740-2742, 2788, 2910-2911, 3044-3046, 3058-3060, Ex. III)

50. The evidence does not establish that products containing these ingredients in the quantities proposed by the American Bakers Association (see finding 48) are distinguishable by the ordinary consumer from the product commonly known as "bread" or "white bread". It is not shown that benefit to consumers would result from the promulgation of definitions and standards of identity for these products as proposed by the American Bakers Association. (R. pp. 2495, 2552-2553, 2555, 2569, 2621-2624, 2632, 2641, 2672, 2742-2743, 2795-2797, 2807, 2820, 3036-3037, 3039, 3046, 3049, 3051)

51. There is not shown to be, or to be likely to develop, a demand on the part of consumers for bread or rolls containing the quantities of these ingredients in the published proposals which were supported by the Food and Drug Administration (see finding 48). The evidence

does not establish that such proposed definitions and standards of identity would be reasonable. (R. pp. 1851, 2427, 2476, 2498, 2553, 2570, 2700, 2713-2715, 2867-2868, 2931-2932, 2965-2966)

52. The foods commonly and usually known as "raisin bread" and "raisin rolls" or "raisin buns" differ from bread and rolls primarily in that raisins are added to the dough before baking. Seedless (or seeded) raisins are suitable for such use. They are usually washed and are often soaked in water before being added to the dough. Except as noted in findings 54 and 55, findings 2 to 6 and 8 to 40, inclusive, are applicable to raisin bread and raisin rolls; finding 7 is inapplicable thereto. (R. pp. 35-36, 3076-3084, 3086-3091, 3092-3097)

53. The quantity of raisins used in making raisin bread varies somewhat. A minimum requirement for raisins based on the weight of raisins in the loaf was contained in the advisory standard for raisin bread promulgated some years ago. A more understandable requirement from the standpoint of the baker is a specification of the weight of raisins (before soaking or washing) used with each 100 parts by weight of flour. The requirement of the advisory standard calculated to this basis is about 35 parts of raisins to each 100 parts of flour. In recent years it has become the practice of most bakers to use substantially more raisins and a minimum requirement of 50 parts of raisins to each 100 parts of flour now conforms more nearly to consumer preference and good bakery practice. (R. pp. 35-36, 3076-3080, 3088-3090, 3093-3097, Exs. 2, III, TTT, UUU, VVV)

54. When making raisin bread some bakers use as a saccharine ingredient a raisin sirup made by concentrating a water extract of raisins (referred to in finding 12). Such an extract is suitable for use in raisin bread but such raisin extractives as are incorporated in this manner do not take the place of raisins used in making the raisin bread. Raisin bread and raisin rolls are sometimes prepared with an "icing" or "frosting". (R. pp. 3080, 3125)

55. The method of determining total solids as described in finding 3 must be modified slightly to be applicable to raisin bread and raisin rolls in order to insure the proper mixing of raisins in the sample. This can be accomplished by passing the sample twice through a food chopper and then taking a portion for solids determination without attempting to pass the ground sample through a 20-mesh sieve. (R. pp. 3086-3087, Ex. 2)

56. The foods commonly and usually known as "whole-wheat bread", "graham bread", "entire white bread", and "whole wheat rolls", "graham rolls", "entire wheat rolls", or "whole wheat buns", "graham buns", "entire wheat buns", differ from white bread and white rolls only in that the dough is made with whole wheat flour or bromated whole wheat flour, and no flour, bromated whole flour, or phosphated flour is used therein. Findings 2 to 6 and 8 to 40, inclusive, are applicable to whole wheat bread and whole wheat rolls, except that the maximum limit for propionates (see finding 38) is 0.38 part by weight to each 100 parts by weight of whole wheat flour

used. Finding 7 is inapplicable to whole wheat bread and whole wheat rolls. (R. pp. 34-35, 1323, 1413, 3126-3135, 3160-3161, Exs. 2 and A)

57. Several different kinds of bread and rolls are prepared which differ from white bread and white rolls only in that the dough is made by using various mixtures of two or more of the wheat ingredients flour (including bromated flour and phosphated flour), whole wheat flour, cracked wheat, crushed wheat. In order to obtain in finished bread and rolls of these kinds the definite characteristics of each of the wheat ingredients used, it is necessary that the quantity of each such ingredient be not less than 20 percent by weight of the mixture of wheat ingredients used. Findings 2 to 6 and 8 to 40, inclusive, are applicable to bread and rolls of these kinds, except that the maximum limit for propionates (see finding 38) is 0.38 part by weight to each 100 parts by weight of the mixture of wheat ingredients. Finding 7 is inapplicable to bread and rolls of these kinds. (R. pp. 38, 1323, 1413, 3135-3158, 3160-3161, Exs. 5, 6, 7)

58. Bread and rolls of these kinds are ordinarily labeled with the word "bread" and "rolls", preceded by the name of one of the wheat ingredients (for example, "cracked wheat bread"). Consumers are confused as to the composition of such products by the failure to disclose in the name other wheat ingredients present in characterizing quantities. Names for them which are accurate and informative are the words "bread" and "rolls" or "buns", as the case may be, preceded by words which show the wheat ingredients used in the order of their predominance, if any, by weight in the mixture, as for example, "white and whole wheat bread". (R. pp. 3135-3158, Exs. 5, 6, 7)

59. "Enriched bread" and "enriched rolls" or "enriched buns" are the common and usual names of baked products identical with bread and rolls, respectively, except that they contain added nutrients and are not subject to the limitations indicated in finding 7. The reasons for enriching flour and for regulating such enrichment are applicable to enriched bread and enriched rolls; such reasons are set forth in findings 33 to 41, inclusive, of the order prescribing a definition and standard of identity for enriched flour (6 F. R. 2574-2582), as modified and supplemented by findings 1 to 11, inclusive, of the order amending that definition and standard of identity (8 F. R. 9115-9116). The basis for requiring or permitting the particular enriching ingredients and the particular quantities thereof specified in such findings is also applicable to enriched bread and enriched rolls. Findings 2 to 6, 8 to 21, and 23 to 40, inclusive, are applicable to enriched bread and enriched rolls. (R. pp. 3241-3255)

60. The quantities of vitamins and minerals in enriched bread and enriched rolls are those which result from the use of enriched flour or enriched bromated flour in lieu of flour, bromated flour, or phosphated flour. These quantities may be contributed by any of the following methods, or by any two or more of them in combination:

(a) Enriched flour or enriched bromated flour is used, in whole or in part.

(b) The substances used for enriching flour (including wheat germ or partly defatted wheat germ in a quantity not more than 5 parts by weight to each 100 parts of flour, bromated flour, and phosphated flour used) are added in making the dough, under the conditions permitted by § 15.010, as amended, for the addition of such substances in preparing enriched flour.

(c) Ingredients of bread which contain such vitamins or minerals (e. g., yeast, dried skim milk, monocalcium phosphate) are used within the limits, if any, for such use in bread. (R. p. 3241; Supp. R. pp. 375, 843, 893, 900, 958, 961)

61. It would not be reasonable to subject enriched bread or enriched rolls to any requirement for or limitation on enrichment that cannot be met in ordinary commercial practice by the use of any enriched flour which conforms to the definition and standard of identity prescribed in § 15.010, as amended. (R. p. 3320)

62. The flour content of enriched bread and enriched rolls varies from a minimum of about 60 percent to a maximum of about 75 percent, depending upon such factors as the quantity of ingredients other than flour used and the moisture content of the finished products. In baking such products there is some loss of vitamins, mostly through destruction in the crust. Such losses of niacin, riboflavin, and vitamin D are negligible, and in the cases of niacin and riboflavin are compensated by some contribution of these vitamins by yeast and other ingredients commonly used. Except as noted for thiamine, riboflavin, and calcium in findings 63, 64, and 65, minima for the vitamins and minerals in enriched bread and enriched rolls of 60 percent of the minima prescribed for enriched flour, and maxima of 75 percent of the maxima for enriched flour, are, when rounded off to the nearest significant decimal point, reasonable limitations when enriched flour is used to make enriched bread and enriched rolls. On this basis each pound of enriched bread or enriched rolls contains not less than 10 mg. nor more than 15 mg. of niacin; not less than 8 mg. nor more than 12.5 mg. of iron; and when the optional ingredient vitamin D is used, not less than 150 U. S. P. units nor more than 750 U. S. P. units of such vitamin. It would not be reasonable to prescribe minima and maxima for vitamins and minerals, when they are added in making the dough, different from the minima and maxima prescribed when enriched flour is used. An unnecessarily wide spread between minima and maxima would likely lead to competitive increases between manufacturers, accompanied by such advertising claims as would confuse consumers as to their nutritional needs and the value of enriched bread in supplying those needs. Consumer understanding of the value of enriched bread will be promoted by requiring its composition to be as nearly uniform as practicable as to both quantities and kinds of nutritional factors present. (R. pp. 3241-3252, 3306, 3466-3472, 3474-3488, 3692-3696, 3770-

3782, 3786-3800; Supp. R. pp. 287, 362-364, 645, 648, 649, 844-854)

63. In baking enriched bread and enriched rolls losses of thiamine are appreciable. However, if flour enriched to the minimum of 2 mg. of thiamine per pound is used there is sufficient contribution of thiamine from the yeast and other ingredients customarily added that in common commercial practice the finished products contain not less than 1.1 mg. of thiamine per pound. If flour enriched to the maximum of 2.5 mg. per pound is used, the thiamine content of the finished products, after due allowances are made for contributions from such ingredients and for baking losses, will not exceed 1.8 mg. per pound. (R. pp. 3242-3251, 3466-3472, 3474-3488, 3770-3782; Supp. R. pp. 363-368, 372, 647, 844-854)

64. Yeast and milk or its products used in making enriched bread and rolls may contribute as much as 0.48 mg. of riboflavin per pound of bread or rolls. When these are used with enriched flour containing 1.5 mg. riboflavin per pound the riboflavin content of the enriched bread or enriched rolls may approach 1.6 mg. per pound. When milk and its products are not used and the enriched flour contains the minimum 1.2 mg. riboflavin per pound the riboflavin content of the enriched bread or enriched rolls may fall to nearly 0.7 mg. per pound. (Supp. R. pp. 844, 848)

65. Dried skim milk, so-called "bread improvers", rope inhibitors, and other optional ingredients used in making bread and rolls may contribute nearly 300 mg. of calcium per pound of bread or rolls. When these are used with enriched flour containing 625 mg. calcium per pound the calcium content of the enriched bread or enriched rolls may approach 800 mg. per pound, particularly if water used in making the dough is high in calcium. When these are not used and the enriched flour contains the minimum of 500 mg. calcium per pound the calcium content of the enriched bread or enriched rolls may fall to about 300 mg. per pound. (Supp. R. pp. 849, 858)

66. The following are reasonable limits for the specified vitamins and minerals in enriched bread and enriched rolls or enriched buns:

	Minimum	Maximum
Required ingredients:		
Thiamine.....	1.1 mg. per lb.	1.8 mg. per lb.
Niacin.....	10.0 mg. per lb.	15.0 mg. per lb.
Riboflavin.....	0.7 mg. per lb.	1.6 mg. per lb.
Iron.....	8.0 mg. per lb.	12.5 mg. per lb.
Optional ingredients:		
Calcium.....	300 mg. per lb.	800 mg. per lb.
Vitamin D.....	150 U. S. P. units per lb.	750 U. S. P. units per lb.

(Supp. R. pp. 153, 157, 159, 160-162, 221, 278-280, 312-313, 386-388, 773-774, 797-798, 843-848, 888)

Conclusions. On the basis of the foregoing findings of fact it is concluded that:

(a) The evidence does not establish a basis for definitions and standards of identity, which would be reasonable and would promote honesty and fair dealing in the interest of consumers, for:

Cream bread and cream rolls or cream buns.

Butter bread and butter rolls or butter buns.

Egg bread and egg rolls or egg buns.

Butter and egg bread and butter and egg rolls or butter and egg buns.

Honey bread and honey rolls or honey buns.

Milk and honey bread and milk and honey rolls or milk and honey buns.

(b) It would not promote honesty and fair dealing in the interest of consumers to prescribe definitions and standards of identity for white bread and white rolls permitting the use as optional ingredients of soybean flour (except the soybean product referred to in finding 23 and within the limit set forth in such finding), peanut flour, cottonseed flour, rolled oats, ground oatmeal, or oat flour in quantities insufficient to differentiate the baked products from bread and rolls. The evidence does not establish a basis for a determination as to what provisions should be included in definitions and standards of identity, which will promote honesty and fair dealing in the interest of consumers, for baked products containing such ingredients in quantities sufficient to differentiate such products from white bread and white rolls.

(c) It would not promote honesty and fair dealing in the interest of consumers to prescribe a definition and standard of identity for any kind of bread or rolls, except enriched bread and enriched rolls, providing for the use of processed wheat germ.

(d) It would not promote honesty and fair dealing in the interest of consumers to prescribe a definition and standard of identity for any kind of bread or rolls, except raisin bread and raisin rolls, providing for the use of concentrated water extract of raisins or raisin sirup.

(e) It would not promote honesty and fair dealing in the interest of consumers to prescribe a definition and standard of identity for any kind of bread or rolls providing for the use of blackstrap molasses, dark-colored brown sugar, or concentrated water extract of prunes.

(f) The evidence does not establish a basis for a determination that it would promote honesty and fair dealing in the interest of consumers to prescribe a definition and standard of identity for any kind of bread or rolls providing for the use of amino acids or of so-called "grain infusion", or a definition and standard of identity for raisin bread or raisin rolls providing for the use of raisins in any quantity less than 50 parts by weight to each 100 parts by weight of any kind of flour ingredient used.

(g) It would not promote honesty and fair dealing in the interest of consumers to prescribe a definition and standard of identity for any kind of bread or rolls made from two or more of the wheat ingredients flour (including bromated flour and phosphated flour), whole wheat flour, cracked wheat, and crushed wheat under the name of one of such ingredients, or which provides for the use of any such ingredient in any quantity less than 20 percent by weight of the total of such ingredients.

(h) The record contains no evidence on the interest of consumers in label declaration of the presence of the preserva-

tives calcium propionate, sodium propionate, sodium diacetate, monocalcium phosphate, and vinegar. However, section 403 (k) of the Act requires a statement in the labeling of bread and rolls in which calcium propionate, sodium propionate, sodium diacetate, or monocalcium phosphate is used, disclosing the fact that such chemical preservative is present. An informative and accurate statement of that fact is "----- added to retard spoilage", the blank being filled in with the name whereby the chemical preservative used is above designated.

(i) Each of the following regulations fixing and establishing definitions and standards of identity for various kinds of bread and rolls or buns will promote honesty and fair dealing in the interest of consumers, and such regulations are hereby promulgated:

§ 17.5 Bread and rolls or buns—identity; label statement of optional ingredients. (a) Each of the foods bread, and rolls or buns, is prepared by baking a kneaded yeast-leavened dough made by moistening flour with water, or with one or more of the liquid optional ingredients hereinafter specified, or with any mixture of water and one or more of such ingredients. (The term "flour", unqualified, as used in this section includes flour, bromated flour, and phosphated flour. The potassium bromate in any bromated flour used and the monocalcium phosphate in any phosphated flour used shall be deemed to be optional ingredients in the bread or rolls.) Each of such foods is seasoned with salt, and in its preparation one or more of the optional ingredients prescribed by the following subparagraphs (1) to (12), of this paragraph, may be used:

(1) Shortening.

(2) Milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, dried skim milk, or any combination of two or more of these; except that any such ingredient or combination (together with any butter and cream used) is so limited in quantity or composition as not to meet the requirements for milk or dairy ingredients prescribed for milk bread by § 17.7.

(3) Buttermilk, concentrated buttermilk, dried buttermilk, sweet cream buttermilk, concentrated sweet cream buttermilk, dried sweet cream buttermilk, or any combination of two or more of these.

(4) Liquid eggs, frozen eggs, dried eggs, egg yolks, frozen yolks, dried yolks, egg white, frozen egg white, dried egg white, or any combination of two or more of these.

(5) Sugar, invert sugar (in congealed or sirup form), light-colored brown sugar, refiners sirup, dextrose, honey, corn sirup, dried corn sirup, nondiastatic dried malt sirup, molasses (except blackstrap molasses), or any combination of two or more of these.

(6) Malt sirup, dried malt sirup, malted barley flour, malted wheat flour, each of which is diastatically active, or any combination of two or more of these.

(7) Corn flour (including finely ground corn meal), potato flour, rice flour, wheat starch, cornstarch, potato

starch, sweet potato starch, any of which may be wholly or in part dextrinized, dextrinized wheat flour, or any combination of two or more of these; but the total weight thereof is not more than 3 parts for each 100 parts by weight of flour used.

(8) Ground dehulled soybeans, which may be heat treated, from which oil may be removed, but which retain enzymatic activity; but the weight thereof is not more than 0.5 part for each 100 parts by weight of flour used.

(9) Calcium sulfate, calcium lactate, mono-ammonium phosphate, diammonium phosphate, ammonium sulfate, ammonium chloride, ammonium carbonate, ammonium lactate, monocalcium phosphate, dicalcium phosphate, or any combination of two or more of these; but the total weight thereof (not including the monocalcium phosphate in any phosphated flour used) is not more than 0.25 part for each 100 parts by weight of flour used.

(10) Potassium bromate, potassium iodate, calcium peroxide, ammonium persulfate, potassium persulfate, sodium chlorite, or any combination of two or more of these; but the total weight thereof (including the potassium bromate in any bromated flour used) is not more than 0.0075 part for each 100 parts by weight of flour used.

(11) (i) Monocalcium phosphate, but the total quantity thereof, including the quantity in any phosphated flour used and any quantity added as permitted by subparagraph (9) of this paragraph, is not less than 0.25 part and not more than 0.75 part by weight to each 100 parts by weight of flour used; or (ii) a vinegar, in a quantity equivalent in acid strength to not more than 1 pint of 100-grain distilled vinegar for each 100 pounds of flour used; or (iii) calcium propionate, sodium propionate, or any mixture of these, but the total weight thereof is not more than 0.32 part for each 100 parts by weight of flour used; or (iv) sodium diacetate, but the weight thereof is not more than 0.4 part for each 100 parts by weight of flour used.

(12) Spice (including spice oil and spice extract). Each of such foods contains not less than 62 percent of total solids as determined by the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940, page 229, under "Total Solids in an Entire Loaf of Bread—Official", except that if the baked unit weighs 1 pound or more 1 entire unit is used for the determination, and if the baked unit weighs less than 1 pound, such number of entire units as weigh 1 pound or more are used for the determination.

(b) Bread is baked in units each of which weighs one-half pound or more after cooling. Rolls or buns are baked in units each of which weighs less than one-half pound after cooling.

(c) (1) When any optional ingredient, except a vinegar, permitted by paragraph (a) (11) of this section is used, the label shall bear the statement "----- Added to Retard Spoilage", the blank being filled in with the name whereby the ingredient used is designated in such paragraph.

(2) When an optional ingredient permitted by paragraph (a) (12) of this section is used, the label shall bear the statement "Spiced" or "Spice Added" or "With Added Spice"; but in lieu of the word "Spice" in such statements the common or usual name or names of the spice may be added.

(3) Wherever the name of the food appears on the label so conspicuously as to be seen under customary conditions of purchase, the words and statements hereinbefore specified in this paragraph shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

§ 17.6 Enriched bread and enriched rolls or enriched buns—identity; label statement of optional ingredients. (a) Each of the foods enriched bread, and enriched rolls or enriched buns, conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for bread by § 17.5 (a) and (c), except that:

(1) Each such food contains in each pound not less than 1.1 milligrams and not more than 1.8 milligrams of thiamine, not less than 0.7 milligram and not more than 1.6 milligrams of riboflavin, not less than 10.0 milligrams and not more than 15.0 milligrams of niacin or niacin amide, not less than 8.0 milligrams and not more than 12.5 milligrams of iron (Fe);

(2) Each such food may also contain as an optional ingredient added vitamin D in such quantity that each pound of the finished food contains not less than 150 U. S. P. Units and not more than 750 U. S. P. Units of vitamin D;

(3) Each such food may also contain as an optional ingredient added calcium in such quantity that each pound of the finished food contains not less than 300 milligrams and not more than 800 milligrams of calcium (Ca);

(4) Each such food may also contain as an optional ingredient wheat germ or partly defatted wheat germ; but in no case is the total quantity thereof more than the maximum which may be present as a result of the use of enriched flour;

(5) Enriched flour may be used, in whole or in part, instead of flour; and

(6) The limitation prescribed by § 17.5 (a) (2) on the quantity and composition of milk and dairy ingredients does not apply.

As used in this section the term "flour", unqualified, includes bromated flour and phosphated flour; the term "enriched flour" includes enriched bromated flour. The prescribed quantity of any substance referred to in subparagraphs (1), (2), and (3) of this paragraph may be supplied or partly supplied through the use of enriched flour; or through the direct addition of such substance under the conditions permitted by § 15.010, of this chapter, as amended, for the addition of such substance in the preparation of enriched flour; or through the use of any ingredient containing such substance, which ingredient is required or permitted by § 17.5 (a), within the limits, if any, prescribed by such section (as modified

by subparagraph (6) of this paragraph); or through the use of wheat germ; or through any two or more of such methods.

(b) "Enriched bread" is baked in units each of which weighs one-half pound or more after cooling. "Enriched rolls" or "enriched buns" are baked in units each of which weighs less than one-half pound after cooling.

§ 17.7 Milk bread and milk rolls or milk buns—identity; label statement of optional ingredients. (a) Each of the foods milk bread, and milk rolls or milk buns, conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for bread and rolls or buns by § 17.5 (a) and (c), except that:

(1) Milk is used as the sole moistening ingredient in preparing the dough; or in lieu of milk one or more of the dairy ingredients prescribed in paragraph (c) of this section is used, with or without water, in a quantity containing not less than 8.2 parts by weight of milk solids for each 100 parts by weight of flour used (including any bromated flour or phosphated flour used); and

(2) No ingredient permitted by § 17.5 (a) (3) is used.

(b) Milk bread is baked in units each of which weighs one-half pound or more after cooling. Milk rolls or milk buns are baked in units each of which weighs less than one-half pound after cooling.

(c) The dairy ingredients referred to in paragraph (a) (1) of this section are concentrated milk, evaporated milk, sweetened condensed milk, dried milk, and a mixture of butter or cream or both with skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, dried skim milk, or any two or more of these, in such proportion that the weight of nonfat milk solids in such mixture is not more than 2.3 times and not less than 1.2 times the weight of milk fat therein.

§ 17.8 Raisin bread and raisin rolls or raisin buns—identity; label statement of optional ingredients. (a) Each of the foods raisin bread, and raisin rolls or raisin buns, conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for bread and rolls or buns by § 17.5 (a) and (c), except that:

(1) Not less than 50 parts by weight of seeded or seedless raisins are used for each 100 parts by weight of flour used (including any bromated flour or phosphated flour used);

(2) Water extract of raisins may be used (but not to replace raisins);

(3) The baked units may bear icing or frosting;

(4) The limitation prescribed by § 17.5 (a) (2) on the quantity and composition of dairy ingredients does not apply; and

(5) In determining its total solids, instead of following the direction "Grind sample just to pass a 20-mesh sieve" (Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, Fifth Edition, 1940,

page 229, under "Total Solids in an Entire Loaf of Bread—Official"), comminute the sample by passing it twice through a food chopper.

(b) Raisin bread is baked in units each of which weighs one-half pound or more after cooling. Raisin rolls or raisin buns are baked in units each of which weighs less than one-half pound after cooling.

§ 17.9 Whole wheat bread, graham bread, entire wheat bread, and whole wheat rolls, graham rolls, entire wheat rolls, or whole wheat buns, graham buns, entire wheat buns—identity; label statement of optional ingredients. (a) Each of the foods whole wheat bread, graham bread, entire wheat bread, and whole wheat rolls, graham rolls, entire wheat rolls, or whole wheat buns, graham buns, entire wheat buns, conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients prescribed for bread and rolls or buns by § 17.5 (a) and (c), except that:

(1) The dough is made with whole wheat flour and no flour is used therein;

(2) The limitation prescribed by § 17.5 (a) (2) on the quantity and composition of dairy ingredients does not apply; and

(3) The total weight of calcium propionate, sodium propionate, or mixtures of these used, is not more than 0.38 part for each 100 parts by weight of whole wheat flour used.

As used in this section the term "flour", unqualified, includes flour, bromated flour, and phosphated flour; the term "whole wheat flour" includes whole wheat flour and bromated whole wheat flour. The potassium bromate in any bromated whole wheat flour used shall be deemed to be an optional ingredient in the whole wheat bread or whole wheat rolls.

(b) Whole wheat bread, graham bread, or entire wheat bread, is baked in units each of which weighs one-half pound or more after cooling. Whole wheat rolls, graham rolls, entire wheat rolls, whole wheat buns, graham buns, or entire wheat buns, are baked in units each of which weighs less than one-half pound after cooling.

§ 17.10 Breads and rolls or buns made with mixtures of flour, whole wheat flour, cracked wheat, crushed wheat—identity; label statement of optional ingredients. (a) The articles for which definitions and standards of identity are prescribed by this section are the foods each of which conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for bread and rolls or buns by § 17.5 (a) and (c), except that:

(1) The dough is made with a mixture of two or more of the following wheat ingredients in which the weight of each such ingredient used is not less than 20 percent of the weight of such mixture: (i) Flour (including bromated flour and phosphated flour); (ii) whole wheat flour (including bromated whole wheat flour); (iii) cracked wheat; (iv) crushed wheat;

(2) The limitation prescribed by § 17.5 (a) (2) on the quantity and composition of dairy ingredients does not apply; and

(3) The total weight of calcium propionate, sodium propionate, or mixtures

of these used is not more than 0.38 part for each 100 parts by weight of such mixture.

(b) The potassium bromate in any bromated flour or bromated whole wheat flour used, and the monocalcium phosphate in any phosphated flour used shall be deemed to be optional ingredients in the finished baked products.

(c) If such food is baked in units each of which weighs one-half pound or more after cooling, the name of such food is "Bread"; if in units each of which weighs less than one-half pound after cooling, "Rolls" or "Buns", the blank being filled in each instance with the names of the wheat ingredients in the order of predominance, if any, by weight of such ingredients in the mixture used in making the dough,

as for example "White and Whole Wheat Bread". For the purposes of this provision the name of the wheat ingredient specified in paragraph (a) (1) (i) of this section is "White"; in paragraph (a) (1) (ii) is "Whole Wheat", "Graham", or "Entire Wheat"; in paragraph (a) (1) (iii) is "Cracked Wheat"; and in paragraph (a) (1) (iv) is "Crushed Wheat".

Additional evidence is particularly invited with respect to the oxidizing chemicals named in proposed finding 26, showing whether the compounds named are harmless and whether they are needed in the production of bread.

Mr. Bernard D. Levinson is hereby designated as presiding officer to conduct the hearing, in the place of the Admin-

istrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing. The presiding officer is required to certify the supplementary record of the proceedings of this hearing to the Administrator for consideration with the previous record, prior to issuance of a revised proposed order based on the entire record.

The hearing will be conducted in accordance with the rules of practice provided therefor.

Dated: October 8, 1948.

[SEAL] J. DONALD KINGSLEY,
Acting Administrator.

[F. R. Doc. 48-9077; Filed, Oct. 13, 1948; 8:50 a. m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket No. G-1122]

ATLANTIC SEABOARD CORP.

ORDER FIXING DATE OF HEARING

OCTOBER 7, 1948.

Upon consideration of the application filed September 9, 1948, by Atlantic Seaboard Corporation (Applicant), a Delaware corporation with its principal place of business at Charleston, West Virginia, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of a 1,600-H. P. compressor station, complete with appurtenant auxiliary equipment, structures, land and improvements, to be known as Huff Creek Compressor Station and located near Hanover, West Virginia, at a point approximately 46 miles east of Boldman, Kentucky, on Applicant's present 20-inch pipe line, which is more fully described in such application on file with the Commission and open to public inspection; and

It appears to the Commission that: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on September 24, 1948 (13 F. R. 5574).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure,

a hearing be held on October 27, 1948, at 9:30 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; provided, however, that the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of Rule 32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided in §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: October 8, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9064; Filed, Oct. 13, 1948; 8:47 a. m.]

[Docket No. G-1134]

LONE STAR GAS CO.

NOTICE OF APPLICATION

OCTOBER 7, 1948.

Notice is hereby given that on October 1, 1948, Lone Star Gas Company (Applicant), a Texas corporation having its principal place of business at Dallas, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of a 6-inch natural-gas pipe line loop, and auxiliary equipment, approximately 10,150 feet in length to parallel Applicant's present 6½-inch line which extends southwesterly from a point on Applicant's Line A near Chillicothe, Hardeman County, Texas to a point of connection with Applicant's Line U in said county; and also an 8-inch natural-gas pipe line, and auxiliary equipment, approximately 308

feet in length to extend from Applicant's said 6½-inch line to the suction header of United Gas Pipe Line Company's compressor station located near Chillicothe, Hardeman County, Texas.

Applicant proposes, by means of the proposed facilities, to increase the delivery capacity from Applicant's Line A to its U System, thus enabling Applicant to have additional volumes of gas available for peak demand deliveries from said U System during the winter months. It is stated in the application that the construction of the proposed facilities will assist in alleviating the difficulty Applicant has experienced for the last several years in supplying the demands on its U System during periods of peak demand.

The application further states that the proposed facilities will be used to supply the same markets as are now being served by Applicant, and that no change in present rates is contemplated.

The estimated total over-all capital cost of the proposed facilities stated in the application is \$20,965.00, which will be paid solely out of Applicant's current funds.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Lone Star Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall con-

form to the requirements of §§ 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9059; Filed, Oct. 13, 1948;
8:46 a. m.]

[Docket No. G-1135]

MESABI PIPE LINE CO.

NOTICE OF APPLICATION

OCTOBER 8, 1948.

Notice is hereby given that on October 4, 1948, an application was filed with the Federal Power Commission by Mesabi Pipe Line Company (Applicant), a Minnesota corporation with its principal office at St. Paul, Minnesota, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the Applicant to construct and operate an 18-inch natural gas transmission pipeline commencing at a point in Keokuk County, Iowa, at the terminus of a pipeline proposed by Trunkline Gas Supply Company for which a certificate application is pending as Docket No. G-882, and extending in a generally northerly direction through the states of Iowa, Wisconsin, and Minnesota, to a point in Itasca County, Minnesota, together with necessary facilities for the reception of gas into Applicant's proposed pipeline and for its compression at appropriate points.

Applicant states that its primary proposal is to provide low-grade iron ore processors in the Mesabi Range with such natural gas as may be required for their purposes in processing low-grade iron ore and to serve gas companies tributary to its proposed line supplies of natural gas where no gas service is now available, and to serve other tributary gas companies supplies of natural gas in addition to their already available supplies. It is estimated that a minimum of 100,000 Mcf daily will be required by such mining companies.

Applicant proposes to secure its supply of natural gas from the Trunkline Gas Supply Company at the terminus of its proposed line.

The estimated total over-all cost of the proposed facilities is \$19,291,750 which Applicant proposes to finance through the issuance and sale to the public of bonds and preferred stock, supplemented by the procurement and issuance of additional shares of its common stock.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Mesabi Pipe Line Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than October 15, 1948, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9063; Filed, Oct. 13, 1948;
8:47 a. m.]

[Docket Nos. G-1135, 882]

MESABI PIPE LINE CO. AND TRUNKLINE GAS
SUPPLY CO.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

OCTOBER 8, 1948.

Upon consideration of the application filed October 4, 1948, by Mesabi Pipe Line Company (Mesabi), a Minnesota corporation with its principal office at St. Paul, Minnesota, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of an 18-inch O. D. natural gas transmission pipeline commencing at a point in Keokuk County, Iowa, at the terminus of a pipeline proposed by Trunkline Gas Supply Company (Trunkline) for which a certificate application is pending at Docket No. G-882, and extending in a generally northerly direction approximately 400 miles through the States of Iowa, Wisconsin and Minnesota to a point in Itasca County, Minnesota, as described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

(a) Hearings at Docket No. G-882 were held from September 8 through September 16, 1948, at which time Trunkline completed its direct presentation and the hearing was recessed until October 4, 1948.

(b) By order entered September 30, 1948, the date of reconvening hearing on the application at Docket No. G-882 was postponed until October 18, 1948, for the purpose of receiving additional evidence to be presented in support of Trunkline's amended application, and the Commission remanded the record to the Presiding Examiner for such purposes, And further provided, That upon the conclusion of the presentation of such evidence the record shall be forthwith certified to the Commission and the hearing be recessed pending disposition of a motion to strike and a motion to dismiss filed therein.

(c) Mesabi states in its application that it proposes to secure its supply of natural gas from Trunkline.

The Commission finds that: Good cause exists to consolidate for purposes of

hearing the proceedings at Docket No. G-1135 with those at Docket No. G-882.

The Commission, therefore, orders that:

(A) The proceedings at Docket Nos. G-882 and G-1135 be and the same are hereby consolidated for purposes of hearing.

(B) A public hearing be held on the matter at Docket No. G-882 as heretofore ordered by the Commission in its order of September 30, 1948, issued therein and on the application of Mesabi Pipe Line Company at Docket No. G-1135, commencing at 10:00 a. m. (e. s. t.) on October 18, 1948, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: October 8, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9062; Filed, Oct. 13, 1948;
8:46 a. m.]

[Docket No. E-6163]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING
ISSUANCE OF SECURITIES

OCTOBER 8, 1948.

Notice is hereby given that, on October 6, 1948, the Federal Power Commission issued its order entered October 5, 1948, authorizing and approving issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9060; Filed, Oct. 13, 1948;
8:46 a. m.]

[Docket No. ID-1103]

G. F. FOLEY

NOTICE OF AUTHORIZATION PURSUANT TO
SECTION 305 (B) OF THE FEDERAL POWER
ACT

OCTOBER 8, 1948.

Notice is hereby given that, on October 6, 1948, the Federal Power Commission issued its order entered October 5, 1948, in the above-designated matter, authorizing Applicant to hold certain positions in the Florida Power Corporation, et al., pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9061; Filed, Oct. 13, 1948;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-1241]

ENGINEERS PUBLIC SERVICE CO.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of October A. D. 1948.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from listing and registration the common stock, \$1.00 par value, of Engineers Public Service Company.

The application alleges that (1) Engineers Public Service Company was dissolved on June 30, 1947; (2) all its assets have already been distributed to its preferred and common stock holders with the exception of a small amount of cash and with the exception of common stock of Virginia Electric and Power Company; (3) after deduction of a bank loan of \$900,000, there remains a net value for these assets of approximately \$1,864,000; (4) there are now outstanding approximately 1,909,968 shares of common stock of Engineers Public Service Company; (5) the value of the assets of this corporation remaining undistributed is approximately \$1.00 per share; (6) in addition, Engineers Public Service Company has a contingent claim to any portion remaining of an escrow fund set up for the benefit of preferred stock holders in their right to payment of premium upon the liquidation of the preferred stock, which is now in the process of litigation; (7) that assuming the outcome of this litigation is such that this escrow fund reverts to the Engineers Public Service Company, except for the expenses of administration of the fund, this would amount to not to exceed \$2.00 per share for the outstanding shares of common stock of Engineers Public Service Company; and (8) the rules of the Boston Stock Exchange with respect to striking a security from registration and listing have been complied with.

Upon receipt of a request, prior to October 20, 1948, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and

other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-9070; Filed, Oct. 13, 1948;
8:48 a. m.]

[File No. 70-1964]

PENNSYLVANIA GAS AND ELECTRIC CORP.
AND NORTH SHORE GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of October 1948.

The Commission having on September 3, 1948, issued an order pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ("act") directing that Pennsylvania Gas and Electric Corporation ("Penn Corp"), a registered holding company, shall, among other things, sever its relationship with North Shore Gas Company ("North Shore"), a wholly owned subsidiary of Penn Corp, by disposing or causing the disposition of its direct or indirect interest, ownership, control and holding of securities issued and properties owned, controlled or operated by North Shore.

Notice is hereby given that Penn Corp and North Shore have filed with this Commission a joint application and declaration pursuant to sections 9, 10, 12 (c) and 12 (d) of the act and Rules U-42, U-44, and U-46 thereunder with respect to the proposed sale by North Shore of all its gas properties and business and the proposed liquidation and dissolution of North Shore.

Notice is further given that any interested person may, not later than October 21, 1948, at 5:30 p. m., e. s. t., request the Commission in writing, that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application and declaration which he desires to controvert, or may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after October 21, 1948, said application and declaration, as filed or as amended, may be granted and permitted to become effective, respectively, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application and declaration which are on file in the office of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

North Shore proposes to sell to Haverhill Gas Light Company ("Haverhill"), a non-affiliated public utility company,

all of North Shore's properties and business, exclusive of cash, insurance contracts and claims for refund of taxes, for a base price of \$145,000 subject to closing adjustments. It is estimated by the company, on the basis of North Shore's balance sheet at August 31, 1948, that retained cash plus closing adjustments will amount to approximately \$25,000. North Shore proposes to use \$87,500 of the proceeds of the sale to retire all of its outstanding long-term debt consisting of a like principal amount of notes held by Penn Corp, proposes to distribute, after provision for other debts, the balance of such proceeds and all additional cash in the company's treasury to Penn Corp as a liquidating dividend, and proposes to retire all of its capital stock, and, thereafter, to be dissolved.

The properties to be sold by North Shore comprise a manufactured gas distribution system serving gas in and about the Massachusetts towns of Essex, Georgetown, Hamilton, Ipswich, Manchester, Rowley, Topsfield and Wenham. North Shore purchases its entire gas requirements from Haverhill and serves gas to consumers in territory contiguous to that served by Haverhill. The net operating income of North Shore for the 12 months ended August 31, 1948, was \$14,456 (after estimated Federal income taxes, computed on the basis of the filing of a consolidated Federal income tax return with its parent, Penn Corp).

The filing indicates that during the last several months, several proposals for the purchase of North Shore's properties were received from various interested parties, and that the price offered by Haverhill was the highest.

The filing states that the proposed sale is subject to the jurisdiction of the Massachusetts Department of Public Utilities.

Penn Corp and North Shore request that the Commission's order be issued prior to November 1, 1948, the contract closing date, and that such order become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-8069; Filed, Oct. 13, 1948;
8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

1948 INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA REVISES RADIO PROVISIONS

NOTICE TO U. S. SHIPOWNERS, SHIP RADIO STATION LICENSEES AND OTHERS CONCERNED

OCTOBER 1, 1948.

The International Convention for the Safety of Life at Sea, 1929, ratified by the United States, underwent extensive revision in London last June. The 1948 Convention with annexed regulations supersedes the 1929 document and comes into force on January 1, 1951.

The purpose of this Convention is to insure, through international treaty agreement, that, from the point of view

of safety of life, a ship is fit for the service for which it is intended. Application of the Convention, however, is made only to ships on international voyages, that is, from a country to which the Convention applies to a port outside such country, or conversely.

All aspects of ship safety are dealt with in the revised document, including the fitting and use of radio, contained in Chapter IV. Numerous modifications of and additions to safety radio requirements of the earlier document appear in the revised version. Highlighting these changes is the extension of safety radio requirements to cargo ships between 500 and 1600 gross tons. When cargo ships in this group are not equipped with a radio-telegraph installation, they must be fitted with a radiotelephone installation meeting specified requirements. The radiotelephone requirement takes advantage of the decision made at International Radio Conference held last year at Atlantic City to establish an international calling and distress frequency (2182 kc) for the Maritime Mobile radiotelephone service.

Another outstanding change is the broadened requirement that all ships of 1600 gross tons and upward are to be fitted with an approved radio direction finder. This instrument is not only an important aid to navigation, but has also proved to be most effective in search and rescue work. Through its use rescuing ships can "home" on distress ships and survival craft radio transmissions.

Important because they increase the number of ships available for alerting for distress calls are revised provisions relating to the fitting and use of the auto alarm and listening by human operator. The new basic provision states that each ship required to be fitted with a radio telegraph installation (1600 gross tons and upwards), shall, while at sea, and, if not fitted with an approved auto alarm, listen continuously on the international radiotelegraph distress frequency by means of a qualified operator using some aural method. In the case of ships required to be fitted with a radiotelegraph installation, which are fitted with an approved auto alarm, the number of hours of human listening varies with the kind of ship, its tonnage, duration of voyage, or number of passengers carried. However, the basic provision, with certain exceptions and delay clauses, for listening by means of a qualified operator using some aural method, is at least 8 hours per day in the aggregate.

Many other changes are included. When the required number of lifeboats to be carried by a ship is less than 20, such ships must be provided with an approved portable radiotelegraph apparatus. The portability feature affords considerable flexibility in the placement of the unit to meet a given situation. It may be used in a lifeboat, at various places on the ship, and even taken ashore for use in the case of stranding.

Basically, the revised provisions on the radiotelegraph installation require a main installation and an emergency (reserve) installation, electrically separate

and electrically independent of each other. Nevertheless, certain delay clauses in the case of passenger ships and relaxations in the case of cargo ships are included in the provisions.

As regards required radio devices in general, the trend of the revised provisions is toward more details and exacting specifications. This is particularly true of the auto alarm, main and emergency radiotelegraph installations, and the radio direction finder. Specifications for radiotelephone, lifeboat, and portable lifeboat installations appear in the regulations for the first time. This was to be expected in view of the rapid war-inspired developments in the field of electronics since the 1929 Convention.

While the Contracting Governments consider it highly desirable not to deviate from the application of the new mandatory regulations, administrations are permitted to grant individual exemptions of a partial and/or conditional nature, or complete exemption, but only to a ship engaged on a voyage where the maximum distance of a ship from shore, the length of the voyage, the absence of general navigational hazards, and other conditions affecting safety are such as to render full application of the provision requiring a radiotelegraph installation unreasonable or unnecessary. Since the authority to exempt will not be restricted to a specified distance a ship is navigated from the nearest land, as was the case in the 1929 Convention, the new document appears to permit greater interpretive latitude in the administration of exemptions. Under the new regulations each administration must submit annually to the Intergovernmental Maritime Consultative Organization a report showing all exemptions granted during the calendar year.

Apart from the above discretionary exemption provisions for individual ships, the following classes of ships are exempted outright from the provisions of the 1948 regulations:

1. Ships of war and troopships.
2. Cargo ships of less than 500 gross tons.
3. Ships not propelled by mechanical means.
4. Wooden ships of primitive build, such as dhows, junks, etc.
5. Pleasure yachts not engaged in trade.
6. Fishing vessels.

To permit all concerned ample time to develop newly required apparatus and to afford war-torn countries opportunity to rebuild their economy, time delay clauses of from one to three years are included in various forward looking provisions.

Because the safety radio standards imposed by United States statute and, in fact, those voluntarily met by most United States ships have been and still are higher than those prevailing on most foreign ships, the new Convention, it is felt, will produce proportionately lesser effect on the United States marine services.

Further information on the radio aspects of the revised Convention may be obtained by writing to the Secretary, Federal Communications Commission,

Washington 25, D. C. It is expected that in due course the Convention with annexed regulations will be made available for public sale by the United States Government Printing Office. A British edition of the final acts of the Conference with annexes is available and may be consulted in the Commission's offices in the meantime.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9078; Filed, Oct. 13, 1948;
8:51 a. m.]

SCHEDULE OF HEARINGS, OCTOBER 1948 TO JUNE 1949

SEPTEMBER 29, 1948.

The Commission released today its hearing schedule for all standard and FM broadcast applications designated for hearing prior to September 1, 1948. The hearings are scheduled to commence on October 18, 1948. There are 149 hearings scheduled, involving 238 applications.

The schedule is composed of three parts. Part I contains an alphabetical list of all applications scheduled for hearing; Part II is a chronological list of hearings; and Part III is a list of all applications scheduled for hearing according to their docket numbers.

Generally field hearings will be held in the cities where operation is proposed. If a field hearing is upon applications for stations in two or more cities, the hearings will be held in the various cities in the order listed on the date scheduled. The hearings in the District of Columbia will be heard in order of docket numbers, the lowest docket number being heard first.

Included in the schedule is a number of consolidated hearings which have heretofore been scheduled for hearing and then continued indefinitely for various reasons such as a determination of the Clear Channel proceeding, or the pendency of a petition for reconsideration and grant without hearing. These hearings have been given a new hearing date because of the possibility that the reason for which they were heretofore continued indefinitely may have been removed by the time the hearing date is reached. In the event the reasons for which the hearing was continued indefinitely in the past have not been obviated three weeks prior to the hearing, the Commission will continue such cases indefinitely on its own motion.

Abbreviation Symbols

AL Assignment of License.
AP Assignment of Permit.
L License.
BS Order to Show Cause.
FM Frequency Modulation.
ML Modification of License.
MP Modification of Permit.
PED Non-Commercial Educational FM.
R Renewal.
TC Transfer of Control.

PART I

Name	Docket No.	Frequency	Date	Place	Name	Docket No.	Frequency	Date	Place
Airtone Co., Santa Ana, Calif.	9110	850	Jan. 10	D. C.-1.	Furns, James H., Monroe, Mich.	8844	1540	Jan. 31	D. C.-1.
Airwaves, Inc. (WJOC), Jamestown, N. Y.	9105	1410	May 2	D. C.-1.	General Electric Co. (WGY), Schenectady, N. Y.	8102	BS	Dec. 13	D. C.-1.
Albuquerque Broadcasting Co. (KOB), Albuquerque, N. Mex.	8044		Dec. 15	F-2.	Gerity, James Jr. (WABJ), Adrian, Mich.	8692	1490	Apr. 25	D. C.-2.
Allentown Broadcasting Co. (WKAP), Allentown, Pa.	9132	1320	Apr. 4	D. C.-2.	Gila Broadcasting Co., Winslow, Ariz.	8381	1580	Feb. 16	D. C.-2.
American Broadcasting Co. (KGO), San Francisco, Calif.	8011	810	Dec. 13	D. C.-1	Goddard, Fred G., Hoquiam, Wash.	7826	1450	Nov. 1	F-1.
Anderson Broadcasting Co., Inc., Anderson, S. C.	7793	1070	Feb. 3	D. C.-1.	Greenwich Broadcasting Corp., Greenwich, Conn.	8716	1490	Dec. 9	F-2.
Andrews, L. W., Inc., Davenport, Iowa	8994	FM	Nov. 22	D. C.-1.	Griner-Dillon Broadcasting Co., Bay City, Mich.	8610	1350	May 19	D. C.-1.
Antelope Broadcasting Co., Inc., Lancaster, Calif.	8848	1340	Dec. 6	F-1.	Guilford Broadcasting Co., Greensboro, N. C.	8204	1400	Oct. 29	F-1.
Antelope Valley Broadcasting Co., Inc., Lancaster, Calif.	8847	1340	do	F-1.	Haddican, George F., Delano, Calif.	8758	1340	Nov. 17	F-2.
Astoria Broadcasting Co. (KAST), Astoria, Oreg.	9002	1370	May 5	D. C.-2.	Hamtramck Radio Corp., Hamtramck, Mich.	9021	1440	Mar. 28	D. C.-1.
Atlantic Broadcasting Co., New York N. Y.	9055	FM	Dec. 13	F-2.	Harbenito Broadcasting Co. (KGBS), Harlingen, Tex.	8836	850	May 16	D. C.-1.
Balboa Radio Corp., (KLIK), San Diego, Calif.	8116	1450	Dec. 2	F-1.	Harrisonburg Broadcasting Co., Harrisonburg, Va.	9108	1340	Jan. 12	F-2.
Baltimore, Louis G. (WBRE), Wilkes-Barre, Pa.	9131	1340	Apr. 4	D. C.-2.	The Heights Broadcasting Co., Cleveland, Ohio.	8266	710	Feb. 17	D. C.-2.
Bastrop Broadcasting Co., Bastrop, La.	8410	900	Apr. 14	D. C.-1.	The Highlands Broadcasting Co., Sebring, Fla.	9070	1340	Oct. 22	F-1.
Baylor University (KWBU), Houston, Tex.	9087	1030	Mar. 7	D. C.-1.	Hillsdale Broadcasting Co., Inc., Hillsdale, Mich.	7941	900	Feb. 7	D. C.-1.
Beacon Broadcasting Co., Boston, Mass.	8731	FM	Nov. 29	F-2.	Hodgkins, Robert C., Northampton, Mass.	8857	1570	Feb. 28	D. C.-2.
Beatrice Broadcasting Co., Beatrice, Nebr.	8930	1450	Oct. 20	F-2.	Holzer, Leland, Long Beach, Calif.	8851	890	Mar. 21	D. C.-1.
Belvedere Broadcasting Co., Baltimore, Md.	8696	1400	Oct. 18	F-1.	Ines, Birney, Jr., Columbus, Miss.	8831	580	May 12	D. C.-2.
Benlee Broadcasting Co., Patchogue, N. Y.	8673	1580	Apr. 18	D. C.-1.	Independent Broadcasting Service, Oak Park, Ill.	8687	1350	do	D. C.-1.
Berks Broadcasting Co. (WEEU), Reading, Pa.	7339	850	Oct. 21	D. C.-1.	James Madison Broadcasting Corp., Orange, Va.	9109	1340	Jan. 10	F-2.
Bessemer Broadcasting Co., Bessemer, Ala.	8526	1450	Jan. 20	F-2.	Jones, Fred Broadcasting Co. (KFMJ), Tulsa, Okla.	8065	1340	Nov. 22	F-1.
The Bible Institute of L. A., Inc., Los Angeles, Calif.	9073	PED	Dec. 9	F-1.	KCMO Broadcasting Co. (KCMO), Kansas City, Mo.	8338	810	Dec. 13	D. C.-1.
Big Sandy Broadcasting Co., Paintsville, Ky.	8880	1400	Nov. 24	F-2.	Kiekapoo Prairie Broadcasting Co., Inc., Springfield, Mo.	8435	1340	Nov. 29	F-1.
Blue Valley Broadcasting Co., Beatrice, Nebr.	8629	1450	Oct. 20	F-2.	KIDO, Inc. (KIDO), Boise, Idaho	8897	630	Jan. 27	D. C.-1.
Bluff City Broadcasting Co., Ltd. (WDIA), Memphis, Tenn.	8879	1240	Jan. 26	F-2.	KOOS, Inc. (KOOS), Coos Bay, Oreg.	8049	630	do	D. C.-1.
Boston Radio Co., Inc., Boston, Mass.	8733	FM	Nov. 29	F-2.	KRGV, Inc. (KRGV), Weslaco, Tex.	8360	1290	Mar. 7	D. C.-2.
Braden, Paul F. (WFPB), Middletown, Ohio.	9118	910	Feb. 10	D. C.-2.	KWHN Broadcasting Co., Inc. (KWHN), Fort Smith, Ark.	8983	L	Nov. 18	F-1.
Brown, Kenyon, Tulsa, Okla.	9066	1340	Nov. 22	F-1.	KWHN Broadcasting Co., Inc., Fort Smith, Ark.	8984	FM	do	F-1.
Brunswick-Island Broadcasting Co., Brunswick, Ga.	8587	1340	Oct. 27	F-1.	KXRO, Inc. (KXRO), Aberdeen, Wash.	8374	1320	Nov. 4	F-1.
Bunker Hill Broadcasting Co., Bunker Hill, Mass.	8841	FM	Nov. 20	F-2.	Lackawanna Valley Broadcasting Co. (WSCR), Scranton, Pa.	9133	1320	Apr. 4	D. C.-2.
Burlington - Graham Broadcasting Co. (WFNS), Burlington, N. C.	8779	1150	Apr. 28	D. C.-2.	Lake Broadcasting Co., Inc., Gary, Ind.	7185	1270	Jan. 17	D. C.-1.
Cadillac Broadcasting Co., Hamtramck, Mich.	8718	1540	Jan. 31	D. C.-1.	Lakeland Broadcasting Corp., Wausau, Wis.	8208	1230	Oct. 27	F-2.
Cameron, Geo. E., Jr., Tulsa, Okla.	9067	1340	Nov. 22	F-1.	Lake Shore Broadcasting Co., Evanston, Ill.	7629	1520	Jan. 24	D. C.-1.
Chanute Broadcasting Co., Chanute, Kans.	8909	1460	Mar. 14	D. C.-2.	Lake States Broadcasting Co., Milwaukee, Wis.	8119	1520	do	D. C.-1.
Christian County Broadcasting Co., Taylorville, Ill.	8699	1410	May 16	D. C.-2.	Lakewood Broadcasting Co., Dallas, Tex.	8714	1470	May 9	D. C.-1.
Cocino Broadcasting Co., Flagstaff, Ariz.	8276	600	Mar. 10	D. C.-2.	LaMar, Charles Wilbur, Jr., Morgan City, La.	8302	1450	Dec. 13	F-1.
Collins, Carr P., Jr., Corpus Christi, Tex.	9088	1010	Mar. 7	D. C.-1.	Lapides, Abe, Pontiac, Mich.	7942	730	Jan. 10	D. C.-2.
Community Broadcasting Service, Aliquippa, Pa.	8689	990	Mar. 30	D. C.-1.	Lewis, Richard Field, Jr. (WINO), Winchester, Va.	8842	950	Apr. 18	D. C.-2.
Continental Broadcasting Co., Toledo, Ohio.	8684	1470	Jan. 24	D. C.-2.	The Liberty Street Gospel Church (WMPC), Lapeer, Mich.	8632	1230	Jan. 13	D. C.-2.
Conway Broadcasting Co., Conway, Ark.	8990	1230	Nov. 15	F-1.	Lowell Sun Publishing Co., Lowell, Mass.	9069	1060	May 9	D. C.-2.
Coosa Valley Radio Co. (WROM), Rome, Ga.	8293	1400	Jan. 17	F-2.	Madera Broadcasting Co., Madera, Calif.	9129	1340	Nov. 15	F-2.
Cornbelt Broadcasting Co. (WHOW), Clinton, Ill.	8261	1520	Jan. 24	D. C.-1.	Manistee Radio Corp., Manistee, Mich.	8004	1340	Nov. 4	F-2.
Cortland Broadcasting Co., Inc. (WKRT), Cortland, N. Y.	8778	920	Mar. 3	D. C.-1.	Mansfield Broadcasting Co., Mansfield, Pa.	9085	1050	May 26	D. C.-1.
Cosmopolitan Broadcasting Co., Los Angeles, Calif.	8041	960	Apr. 11	D. C.-1.	Marion Broadcasting Co., Marion, Ill.	8708	1150	May 19	D. C.-2.
Craddock, D. L. (WLOE), Leaksville, N. C.	8427	1490	Jan. 5	D. C.-2.	The Master Broadcasting Corp., Rio Piedras, P. R.	8828	1140	Apr. 7	D. C.-2.
Crescent Broadcast Corp., Shenandoah, Pa.	6883	980	Jan. 5	D. C.-1.	McClatchy Broadcasting Co. (KERN), Bakersfield, Calif.	8349	1410	Oct. 18	D. C.-1.
Crosley Broadcasting Corp., New York, N. Y.	9054	FM	Dec. 13	F-2.	McClatchy Broadcasting Co., Sacramento, Calif.	9016	FM	Oct. 19	D. C.-1.
Crowley, Dale E., Washington, D. C.	9127	1540	Feb. 7	D. C.-2.	McLean County Broadcasting Co., Normal, Ill.	8198	1080	Feb. 28	D. C.-1.
Cushing Broadcasting Co., Cushing, Okla.	9102	1600	June 6	D. C.-1.	Metropolitan Broadcasting Co., Alamo Heights, Tex.	8928	1240	Jan. 10	F-1.
Debs Memorial Radio Fund, Inc., New York, N. Y.	9056	FM	Dec. 13	F-2.	Metropolitan Broadcasting Co. of Milwaukee, White Fish Bay, Wis.	8202	920	Apr. 28	D. C.-1.
Delta Broadcasting Co. (WDBC), Escanaba, Mich.	8883	680	Feb. 14	D. C.-1.	Mid-Island Radio, Inc., Patchogue, N. Y.	8674	1580	Apr. 18	D. C.-1.
Denver Broadcasting Co., Denver, Colo.	8012	810	Dec. 13	D. C.-1.	Mid-Utah Broadcasting Co. (KNEU), Provo, Utah.	9074	1240	Mar. 23	D. C.-1.
Detroit Broadcasting Co. (WJBK), Detroit, Mich.	8691	1500	Apr. 15	D. C.-2.	The Midwestern Broadcasting Co., Toledo, Ohio.	8685	1470	Jan. 24	D. C.-2.
Diamond H. Ranch Broadcasters, Auburn, Calif.	8642	1490	Nov. 10	F-2.	Model City Broadcasting Co., Anniston, Ala.	8388	1390	Feb. 2	D. C.-2.
Door County Broadcasting Co., Inc., Sturgeon Bay, Wis.	8884	1340	Nov. 1	F-2.	The Monocacy Broadcasting Co. (WFMD), Frederick, Md.	8627	930	Jan. 17	D. C.-2.
Dunkirk Broadcasting Corp., Dunkirk, N. Y.	9104	1410	May 2	D. C.-1.	Monroe Broadcasting Co., Inc. (WRNY), Rochester, N. Y.	7909	680	Feb. 14	D. C.-1.
East Texas Broadcasting Co. (KGKB), Tyler, Tex.	7950	690	Nov. 8	D. C.-1.	Monroe Publishing Co., Monroe, Mich.	8561	920	Apr. 19	D. C.-1.
Ebbetts McKeever Exhib. Co., Inc., New York, N. Y.	9057	FM	Dec. 13	F-2.	Mosby's Inc. (KANA), Anaconda, Mont.	8910	930	Apr. 13	D. C.-1.
El Camino Broadcasting Co., San Fernando, Calif.	8032	610	May 2	D. C.-2.	News Publishing Co. (WLAQ), Rome, Ga.	8594	1400	Jan. 17	F-2.
Ellis County Broadcasting Co., Waxahachie, Tex.	8257	1390	Feb. 14	D. C.-2.	Noe, James A. (KNOE), Monroe, La.	7655	1390	Feb. 2	D. C.-2.
El Mundo Broadcasting Corp. (WEMB), San Juan, P. R.	8820	1190	Apr. 21	D. C.-2.	Northampton Broadcasting Co., Northampton, Mass.	8856	1570	Feb. 28	D. C.-2.
Empire Broadcasting Co., Pomona, Calif.	8152	680	Mar. 28	D. C.-2.	The Northern Corp., Boston, Mass.	8732	FM	Nov. 29	F-2.
Enid Radiophone Co., Enid, Okla.	8712	1390	May 5	D. C.-1.	The Northern Corp. (WMEX), Boston, Mass.	8911	R	Dec. 3	F-2.
Ensley-Fairfield Broadcasting Co., Ensley, Ala.	8327	1450	Jan. 21	F-2.	Do	8912	TC	do	F-2.
Evangeline Broadcasting Co. (KVOL), Lafayette, La.	8417	1480	Mar. 14	D. C.-1.	North Jersey Broadcasting Co., Inc. (WPAT), Paterson, N. J.	8285	930	Jan. 17	D. C.-2.
Fairfield County Broadcasting Co., Norwalk, Conn.	8717	1490	Dec. 10	F-2.	Northwestern Indiana Radio Co., Inc., Valparaiso, Ind.	8218	1080	Feb. 28	D. C.-1.
Falls County Public Service, Marlin, Tex.	9086	1010	Mar. 7	D. C.-1.	Northwest Public Services, Kelso, Wash.	8686	1240	Nov. 8	F-1.
Faulkner County Broadcasting Co., Conway, Ark.	8998	1230	Nov. 15	F-1.	Odesky, William & Lee, Los Angeles, Calif.	8850	900	Mar. 21	D. C.-1.
Florida City Broadcasting Co., Monroe, Mich.	8579	1420	Apr. 21	D. C.-1.	Ohio-Michigan Broadcasting Corp., Toledo, Ohio.	7346	730	Jan. 10	D. C.-2.
Florida East Coast Broadcasting Co., Miami, Fla.	8643	1220	Feb. 24	D. C.-1.	Ohndorff, H. H., Osceola, Ark.	8551	860	Apr. 4	D. C.-1.
Frederick Broadcasting Co., Frederick, Md.	9107	1330	May 10	D. C.-1.	Oliver Broadcasting Corp. (WFOR), Portland, Maine.	9008	1060	May 9	D. C.-2.
Frequency Broadcasting System, Inc., Monroe, La.	8586	900	Apr. 14	D. C.-1.	The Orange Belt Station, Redlands, Calif.	8787	910	Mar. 21	D. C.-1.
Frequency Broadcasting System, Inc., Shreveport, La.	8161	1050	Feb. 17	D. C.-1.	Orange County Broadcasting Co., Santa Ana, Calif.	8454	850	Jan. 10	D. C.-1.
					Ottawa Broadcasting Co., Ottawa, Kans.	9081	1220	June 1	D. C.-1.

PART I—Continued

Name	Docket No.	Frequency	Date	Place	Name	Docket No.	Frequency	Date	Place
Panama City Broadcasting Co. (WDLF), Panama City, Fla.	8904	590	Jan. 13	D. C.-1.	Smith, Patrick G., Bishop, Calif.	8702	550	May 24	D. C.-1.
Parish Broadcasting Corp., Minden, La.	8409	1240	Dec. 16	F-1.	Southern California Broadcasting Co. (KWKW), Pasadena, Calif.	6737	830	Jan. 10	D. C.-1.
Pasadena Presbyterian Church (KPPC), Pasadena, Calif.	9135	1240	June 6	D. C.-2.	Steel City Broadcasting Co., Gary, Ind.	8178	1370	Mar. 17	D. C.-1.
Patterson, S. H. (KVAK), Atchison, Kans.	8553	APL	Nov. 1	D. C.-1.	Steel City Broadcasting Corp., Gary, Ind.	8219	1080	Feb. 28	D. C.-1.
Patterson, S. H. (KJAY), Topeka, Kans.	8886	1440	May 23	D. C.-2.	Suburban Broadcasting Corp. New Rochelle, N. Y.	9123	1460	May 23	D. C.-1.
Payne County Broadcasters, Cushing, Okla.	9103	1600	June 6	D. C.-1.	Suburban Broadcasting Corp., Upper Darby, Pa.	8232	1170	Feb. 2	D. C.-1.
Pekin Broadcasting Co., Inc. (WSIV), Pekin, Ill.	8342	1150	Feb. 23	D. C.-1.	Suffolk Broadcasting Corp., Patchogue, N. Y.	8921	1370	June 2	D. C.-1.
Pellegrin and Smeby, Detroit, Mich.	8431	1440	Mar. 28	D. C.-1.	Sun Country Broadcasting Co. (KPSC), Phoenix, Ariz.	9025	1270	Apr. 25	D. C.-1.
Peninsula Broadcasting Corp., Pontiac, Mich.	9005	1380	May 25	D. C.-1.	Sun Country Broadcasting Co. (KTSC), Tucson, Ariz.	9026	580	do	D. C.-1.
Penn-Allen Broadcasting Co., Allentown, Pa.	8876	FM	Oct. 27	D. C.-1.	Sun Country Broadcasting Co. (KPSC), Phoenix, Ariz.	9027	1270	do	D. C.-1.
Perkins, Mark, San Antonio, Tex.	9079	1240	Jan. 12	F-1.	Tampa Times Co. (WDAE), Tampa, Fla.	8672	810	Dec. 13	D. C.-1.
The Ponca City Publishing Co., Ponca City, Okla.	8183	1460	Mar. 14	D. C.-2.	Terrell Broadcast Corp., Terrell, Tex.	9176	1570	Mar. 21	D. C.-2.
Portorican American Broadcasting Co., Inc. (WPAB), Ponce, P. R.	8688	R	Nov. 17	D. C.-1.	Texas Star Broadcasting Co. (KTHF) Houston, Tex.	8089	1030	Mar. 7	D. C.-1.
Powell, Hugh J. (KGGF), Coffeyville, Kans.	7951	690	Nov. 8	D. C.-1.	Three Rivers Broadcasting Co., Kennewick, Wash.	8600	1450	Nov. 12	F-1.
Public Service Broadcasters, Inc., Toledo, Ohio.	8210	730	Jan. 10	D. C.-2.	The Times Herald Co. (WTHH), Port Huron, Mich.	9006	1380	May 25	D. C.-1.
Puerto Rico Communications Authority, San Juan, P. R.	8920	FM	Oct. 25	D. C.-1.	The Times Picayune Publishing Co. (WTPS), New Orleans, La.	8861	940	Mar. 31	D. C.-2.
Puget Sound Broadcasting Co., Inc. (KVI), Tacoma, Wash.	8628	570	Jan. 20	D. C.-2.	Tinley, S. H., Baltimore, Md.	8997	1400	Oct. 18	F-1.
Pure Bred Broadcasting Co., Richmond, Ky.	8617	1550	Apr. 11	D. C.-2.	The Toledo Blade Co., Toledo, Ohio.	8830	1470	Jan. 24	D. C.-2.
Radio Anthracite, Inc. (WHWL), Nanticoke, Pa.	8934	980	Jan. 5	D. C.-1.	Tomek, John R., Wausau, Wis.	8881	1230	Oct. 27	F-2.
Radio Broadcasting Corp., LaSalle-Peru, Ill.	8197	1080	Feb. 28	D. C.-1.	Tribune Building Co. (KLX), Oakland, Calif.	8379	910	Jan. 31	D. C.-2.
Radio Calumet, Inc., Gary, Ind.	8452	1270	Jan. 17	D. C.-1.	Tribune Broadcasting Corp. (KLIF), Oak Cliff, Tex.	8715	1480	May 9	D. C.-1.
Radio Corp. of the Board of Missions and Church Extension of the Methodist Church, Inc., New York, N. Y.	7665	FM	Dec. 13	F-2.	Twin Cities Broadcasting Corp. (WDGY), Minneapolis, Minn.	8395	BS	Dec. 6	D. C.-1.
Radio Delano, Delano, Calif.	8759	1350	Nov. 17	F-2.	United Nations Broadcasting Corp., San Francisco, Calif.	8615	610	May 2	D. C.-2.
Radio Enterprises, Inc. (KELD), El Dorado, Ark.	8114	690	Nov. 8	D. C.-1.	Unity Corporation, Inc. (WTOD), Toledo, Ohio.	8001	1470	Jan. 24	D. C.-2.
Radio Lakewood, Inc., Lakewood, Ohio.	8460	1380	Apr. 7	D. C.-1.	Van Wert Broadcasting Corp., Van Wert, Ohio.	8700	860	May 18	D. C.-2.
Radio New Orleans, Inc., New Orleans, La.	8875	1400	Dec. 14	F-1.	Voice of the Valley Co., Van Nuys, Calif.	8849	890	Mar. 21	D. C.-1.
Radio Santa Cruz (KSCD), Santa Cruz, Calif.	8552	1080	Feb. 23	D. C.-2.	Vulcan Broadcasting Co., Birmingham, Ala.	9023	1490	Jan. 24	F-1.
Radio South, Inc., Jacksonville, Fla.	8105	1400	Oct. 25	F-1.	Weatherwax, Ben K., Aberdeen, Wash.	7825	1450	Nov. 1	F-1.
Radio Station KRMD, Shreveport, La.	8919	1480	Mar. 14	D. C.-1.	Weeks, Robert L. (KBLE), Red Bluff, Calif.	9125	AL	Nov. 8	F-2.
Radio St. Clair, Inc., Marine City, Mich.	9145	1590	June 1	D. C.-2.	Wells, James (WFTC), Kingston, N. C.	9124	AL	Nov. 24	D. C.-1.
Radio Tennessee, Inc., Memphis, Tenn.	8550	860	Apr. 4	D. C.-1.	West Allis Broadcasting Co., West Allis, Wis.	8509	1570	Mar. 24	D. C.-2.
Redlands Broadcasting Co., Redlands, Calif.	8499	550	Apr. 14	D. C.-2.	West Essie Binkley, Riverside, Calif.	8852	900	Mar. 21	D. C.-1.
Red Oak Radio Corp., Red Oak, Iowa.	9082	1220	June 1	D. C.-2.	Whittier Broadcasting Associates, Whittier, Calif.	8720	1360	May 25	D. C.-2.
R. I. Broadcasting Co. (WRIB), Providence, R. I.	8298	1220	Jan. 20	D. C.-1.	Whittier Broadcasting Co., Whittier, Calif.	8721	1360	do	D. C.-2.
Rib Mountain Radio, Inc., Wausau, Wis.	8882	1230	Oct. 27	F-2.	Williamson Broadcasting Corp., Pikeville, Ky.	8259	1490	Nov. 22	F-1.
Richland Broadcasting Corp., Richland Center, Wis.	9075	1450	Oct. 25	F-2.	Winchester Broadcasting Corp., Winchester, Va.	8638	1370	Apr. 18	D. C.-2.
Riverside Broadcasters, Riverside, Calif.	9111	860	Jan. 10	D. C.-1.	Wolfe, Robert F. Co., Fremont, Ohio.	8589	900	Feb. 7	D. C.-1.
Roark, W. W., Coleman, Tex.	8140	1230	Jan. 14	F-1.	Wood, Grant A., Hyattsville, Md.	9128	1540	do	D. C.-2.
Rock Creek Broadcasting Corp., Washington, D. C.	8027	840	Feb. 21	D. C.-1.	Woodward Broadcasting Co., Detroit, Mich.	8167	840	Mar. 29	D. C.-2.
The Rural Broadcasting Co., of Ohio, Oak Harbor, Ohio.	9130	1470	Jan. 24	D. C.-2.	Woodridge, David H., Memphis, Tenn.	8878	1240	Jan. 26	F-2.
Ruston Broadcasting Co., Ruston, La.	9002	1230	Dec. 17	F-1.	Worcester Broadcasting Co., Worcester, Mass.	8995	970	Feb. 21	D. C.-2.
Sayre Printing Co., Sayre, Pa.	8256	1340	Oct. 21	F-1.	Wyandotte News Co., Wyandotte, Mich.	7756	1540	Jan. 31	D. C.-1.
Scenic City Broadcasting Co., Inc., Middletown, R. I.	7820	1200	Jan. 20	D. C.-1.	WZHD, Inc., Warren, Ohio.	8076	830	Mar. 3	D. C.-2.
Seminole Broadcasting Co., Wewoka, Okla.	8025	720	Feb. 10	D. C.-1.	Young, Charles H., Anderson, S. C.	9076	1050	Feb. 3	D. C.-1.
Shelby Broadcasting Co., Center, Tex.	8855	1490	Dec. 20	F-1.	York Broadcasting Co. (WORK), York, Pa.	8246	1350	Mar. 31	D. C.-1.
Silver City Crystal Co. (WMMV), Meriden, Conn.	8832	1470	May 18	D. C.-1.					

PART II

CHRONOLOGICAL LIST OF HEARINGS ON BROADCAST APPLICATIONS FOR THE PERIOD OCT. 18, 1948-JUNE 6, 1949

D. C. 1					D. C. 2				
Date	Docket No.	Place	Frequency		Docket No.	Place	Frequency		
1948									
Oct. 18	8349	Bakersfield, Calif. (KERN)	1410						
19	9016	Sacramento, Calif.	FM						
21	7339	Reading, Pa. (WEEU)	850						
25	8920	San Juan, P. R.	FM						
27	8875	Allentown, Pa.	FM						
Nov. 1	8553	Atchison, Kans. (KVAK)	AP						
8	7950	Tyler, Tex. (KGKB)	690						
	7951	Coffeyville, Kans. (KGGF)	690						
17	8114	El Dorado, Ark. (KELD)	R						
22	8068	Ponce, P. R. (WPAB)	FM						
24	9194	Davenport, Iowa	AL						
Dec. 6	8395	Minneapolis, Minn. (WDGY)	BS						
13	8011	San Francisco, Calif. (KGO)	810						
	8012	Denver, Colo.	810						
	8182	Schenectady, N. Y. (WGY)	BS						
	8338	Kansas City, Mo. (KCMO)	810						
	8672	Tampa, Fla. (WDAE)	810						
1949									
Jan. 5	6883	Shenandoah, Pa.	980	8427	Leaksville, N. C. (WLOE)		ML		
	8934	Nanticoke, Pa. (WHWL)	980						
10	6737	Pasadena, Calif.	830	7346	Toledo, Ohio		730		
	8454	Santa Ana, Calif.	850	7942	Pontiac, Mich.		730		
	9110	do	850	8210	Toledo, Ohio		730		
	9111	Riverside, Calif.	860						
13	8904	Panama City, Fla. (WDLF)	ML	8632	Lapeer, Mich. (WMPC)		ML		
17	7185	Gary, Ind.	1270	8285	Paterson, N. J. (WPAT)		930		
	8452	do	1270	8627	Frederick, Md. (WFMD)		930		
20	7820	Middletown, R. I.	1200	8628	Tacoma, Wash. (KVI)		ML		
	8298	Providence, R. I. (WRIB)	1220						

PART II—Continued

CHRONOLOGICAL LIST OF HEARINGS ON BROADCAST APPLICATIONS FOR THE PERIOD OCT. 18, 1948—JUNE 6, 1949—continued

D. C. 1				D. C. 2			
Date	Docket No.	Place	Frequency	Docket No.	Place	Frequency	
1949							
Jan. 24	7629	Evanston, Ill.	1520	8001	Toledo, Ohio	1470	
	8119	Milwaukee, Wis.	1520	8084	do.	1470	
	8261	Clinton, Ill. (WHOW)	1520	8085	do.	1470	
				8830	do.	1470	
				9130	Oak Harbor, Ohio	1470	
27	8049	Coos Bay, Oreg. (KOOS)	630				
	8397	Boise, Idaho (KIDO)	630				
31	7756	Wyandotte, Mich.	1540	8379	Oakland, Calif. (KLX)	910	
	8718	Hamtramck, Mich.	1540				
	8844	Monroe, Mich.	1540				
Feb. 2	8232	Upper Darby, Pa.	1170	7655	Monroe, La. (KNOE)	1390	
				8388	Anniston, Ala.	1390	
3	7793	Anderson, S. C.	1070				
	9076	do.	1050				
7	7941	Hillsdale, Mich.	900	9127	Washington, D. C.	1540	
	8589	Fremont, Ohio	900	9128	Hyattsville, Md.	1540	
10	8025	Wewoka, Okla.	720	9118	Middletown, Ohio (WPFB)	ML	
14	7909	Rochester, N. Y. (WRNY)	680	8257	Waxahachie, Tex.	1390	
	8883	Escanaba, Mich. (WDBC)	680				
16				8381	Winslow, Ariz.	1580	
17	8161	Shreveport, La.	1050	8266	Cleveland, Ohio	710	
21	8027	Washington, D. C.	840	8995	Worcester, Mass.	970	
23	8342	Pekin, Ill. (WSIV)	MP	8552	Santa Cruz, Calif. (KSCO)	MP	
24	8643	Miami, Fla. (WFEC)	MP				
28	8197	Peru, Ill.	1050	8856	Northampton, Mass.	1570	
	8198	Normal, Ill.	1080	8857	do.	1570	
	8218	Valparaiso, Ind.	1080				
	8219	Gary, Ind.	1080				
Mar. 3	8778	Cortland, N. Y. (WKRT)	MP	8076	Warren, Ohio	830	
7	9086	Marlin, Tex.	1010	8360	Weslaco, Tex. (KRGV)	1290	
	9087	Houston, Tex. (KWBU)	1030				
	9088	Corpus Christi, Tex.	1010				
	9089	Houston, Tex. (KTHT)	1030				
10				8276	Flagstaff, Ariz.	600	
14	8417	Lafayette, La. (KVOL)	1480	8183	Ponca City, Okla.	1460	
	8919	Shreveport, La. (KRMD)	1480	8909	Chanute, Kans.	1460	
17	8178	Gary, Ind.	1370				
21	8787	Redlands, Calif.	910	8176	Terrell, Tex.	1570	
	8849	Van Nuys, Calif.	890				
	8850	Los Angeles, Calif.	900				
	8851	Long Beach, Calif.	890				
	8852	Riverside, Calif.	900				
23	9074	Provo, Utah (KNEU)	MP				
24				8509	West Allis, Wis.	1570	
28	8431	Detroit, Mich.	1440	8152	Pomona, Calif.	680	
	9021	Hamtramck, Mich.	1440				
29				8167	Detroit, Mich.	840	
30	8989	Aliquippa, Pa.	990				
31	8246	York, Pa. (WORK)	1350	8861	New Orleans, La. (WTPS)	MP	
Apr. 4	8550	Memphis, Tenn.	860	9131	Wilkes-Barre, Pa. (WBRE)	1340	
	8551	Osceola, Ark.	860	9132	Allentown, Pa. (WKAP)	1320	
				9133	Seranton, Pa. (WSCR)	1320	
7	8460	Lakewood, Ohio	1380	8828	Rio Piedras, P. R.	1140	
11	8641	Los Angeles, Calif.	930	8617	Richmond, Ky.	1550	
13	8910	Anaconda, Mont. (KANA)					
14	8410	Bastrop, La.	900	8499	Redlands, Calif.	550	
	8586	Monroe, La.	900				
18	8673	Patchogue, N. Y.	1380	8038	Winchester, Va.	1270	
	8674	do.	1380	8842	Winchester, Va. (WINC)	950	
19	8591	Monroe, Mich.	920				
21	8579	do.	1430	8829	San Juan, P. R. (WEMB)	MP	
25	9025	Phoenix, Ariz. (KPSC)	MP	8691	Detroit, Mich. (WJBK)	1500	
	9026	Tucson, Ariz. (KTSC)	MP	8692	Adrian, Mich. (WABJ)	1490	
	9027	Phoenix, Ariz. (KPSC)	MP				
28	8208	Whitefish Bay, Wis.	920	8779	Burlington, N. C.	1150	
May 2	9104	Dunkirk, N. Y.	1410	8615	San Francisco, Calif.	610	
	9105	Jamestown, N. Y. (WJOC)	1410	8932	San Fernando, Calif.	610	
5	8712	Enid, Okla. (KCRC)	1390	9002	Astoria, Oreg. (KAST)	1370	
9	8714	Dallas, Tex.	1470	9068	Portland, Maine (WPOR)	1060	
	8715	Oak Cliff, Tex.	1480	9069	Lowell, Mass.	1060	
10	9107	Frederick, Md.	1330				
12	8687	Oak Park, Ill.	1350	8831	Columbus, Miss.	580	
16	8836	Harlingen, Tex.	850	8699	Taylorville, Ill.	1410	
18	8832	Meriden, Conn. (WMMW)	1470	8700	Van Wert, Ohio	860	
19	8610	Bay City, Mich.	1350	8708	Marion, Ill.	1150	
23	9123	New Rochelle, N. Y.	1460	8886	Topeka, Kans. (KJAY)	MP	
24	8702	Bishop, Calif.	550				
25	9005	Pontiac, Mich.	1380	8720	Whittier, Calif.	1360	
	9006	Port Huron, Mich. (WTTH)	1380	8721	do.	1360	
26	9085	Mansfield, Pa.	1050				
June 1	9081	Ottawa, Kans.	1220	9145	Marine City, Mich.	1590	
	9082	Red Oak, Iowa	1220				
2	8921	Patchogue, N. Y.	1370				
6	9102	Cushing, Okla.	1000	9135	Pasadena, Calif. (KPFC)	1240	
	9103	do.	1600				

PART II—Continued

CHRONOLOGICAL LIST OF HEARINGS ON BROADCAST APPLICATIONS FOR THE PERIOD OCT. 18, 1948—JUNE 6, 1949—continued

Field 1			Field 2			
Docket No.	Place	Frequency	Docket No.	Place	Frequency	Date
8996	Baltimore, Md.	1400	8929	Beatrice, Nebr.	1450	1948 Oct. 18
8997			8930			20
8256	Sayre, Pa.	1340				21
9070	Sebring, Fla.	1340				22
8105	Jacksonville, Fla.	1400	9075	Richland Center, Wis.	1450	25
8587	Brunswick, Ga.	1340	8208			
			8881	Wausau, Wis.	1230	27
			8882			29
8204	Greensboro, N. C.	1400				
7825	Aberdeen, Wash. (at Hoquiam)	1450	8884	Sturgeon Bay, Wis.	1340	Nov. 1
7826	Hoquiam, Wash.	1450	8884			
			8884			
8374	Aberdeen, Wash. (KXRO) (at Hoquiam)	1320	8004	Manistee, Mich.	1340	4
8686	Kelso, Wash.	1240	9125	Red Bluff, Calif. (KBLF)	ATL	8
			8642	Auburn, Calif.	1490	10
8600	Kennewick, Wash.	1450				12
8998	Conway, Ark.	1230	9129	Madera, Calif.	1340	15
8999	do.	1230	9129	do.	1340	
			8758	Delano, Calif.	1340	17
			8759	do.	1350	18
8983	Fort Smith, Ark.	L				
8984	do.	FM				
8065	Tulsa, Okla.	1340	8259	Pikeville, Ky.	1490	22
9066	do.	1340	8259			
9087	do.	1340	8259	Paintsville, Ky.	1490	24
			8880			
8435	Springfield, Mo.	1340	8731			
			8732	Boston, Mass.	FM	29
			8733			
			8841			
8116	San Diego, Calif. (KLIK)	1450				Dec. 2
			8911	Boston, Mass. (WMEX)	R	3
			8912	do.	TO	6
8847	Lancaster, Calif.	1340				
8848	Los Angeles, Calif.	PED	8716	Greenwich, Conn.	1490	9
9073	Los Angeles, Calif.	1450	8717	Norwalk, Conn.	1490	10
			7665			
8302	Morgan City, La.	1450	9054	New York, N. Y.	FM	13
			9055			13
			9056			
			9057			
8875	New Orleans, La.	1400				14
			8044	Albuquerque, N. Mex. (KOB)		15
8409	Minden, La.	1240				16
9092	Ruston, La.	1230				17
8855	Center, Tex.	1490				20
8928	Alamo Heights, Tex.	1240	9109	Orange, Va.	1340	1949 Jan. 10
9079	San Antonio, Tex.	1240	9108	Harrisonburg, Va.	1340	12
8140	Coleman, Tex.	1230				14
			8593	Rome, Ga. (WROM)	1490	17
			8594	Rome, Ga. (WLAQ)	1400	
			8526	Bessemer, Ala.	1450	20
			8527	Ensley, Ala.	1450	21
			9023	Birmingham, Ala.	1490	24
			8878	Memphis, Tenn.	1240	26
			8879	Memphis, Tenn. (WDIA)	1240	26

PART III

LIST OF APPLICATIONS SCHEDULED FOR HEARING ACCORDING TO DOCKET NUMBERS

Docket No.	Name	Frequency	Date	Place	Docket No.	Name	Frequency	Date	Place
6737	Southern Calif. Broadcasting Co. (KWKW), Pasadena, Calif.	830	Jan. 10	D. C.-1.	8012	Denver Broadcasting Co., Denver, Colo.	810	Dec. 13	D. C.-1.
6883	Crescent Broadcast Corp., Shenandoah, Pa.	980	Jan. 5	D. C.-1.	8025	Seminole Broadcasting Co., Wewoka, Okla.	720	Feb. 10	D. C.-1.
7185	Lake Broadcasting Co., Inc., Gary, Ind.	1270	Jan. 17	D. C.-1.	8027	Rock Creek Broadcasting Corp., Washington, D. C.	840	Feb. 21	D. C.-1.
7339	Berks Broadcasting Co. (WEEU), Reading, Pa.	850	Oct. 21	D. C.-1.	8044	Albuquerque Broadcasting Co. (KOB), Albuquerque, N. M.		Dec. 15	F-2.
7346	Ohio-Michigan Broadcasting Corp., Toledo, Ohio.	730	Jan. 10	D. C.-2.	8049	KOOS, Inc. (KOOS), Coos Bay, Oreg.	630	Jan. 27	D. C.-1.
7629	Lake Shore Broadcasting Co., Evanston, Ill.	1520	Jan. 24	D. C.-1.	8065	Fred Jones Broadcasting Co. (KFMI), Tulsa, Okla.	1340	Nov. 22	F-1.
7655	James A. Noe (KNOE), Monroe, La.	1390	Feb. 2	D. C.-2.	8076	WZHD, Inc., Warren, Ohio	830	Mar. 3	D. C.-2.
7665	Radio Corporation of the Board of Missions and Church Extension of the Methodist Church, Inc., New York, N. Y.	FM	Dec. 13	F-2.	8105	Radio South, Inc., Jacksonville, Fla.	1400	Oct. 25	F-1.
7756	Wyandotte News Co., Wyandotte, Mich.	1540	Jan. 31	D. C.-1.	8114	Radio Enterprises, Inc. (KELD), El Dorado, Ark.	690	Nov. 8	D. C.-1.
7793	Anderson Broadcasting Co., Inc., Anderson, S. C.	1070	Feb. 3	D. C.-1.	8116	Balboa Radio Corp., San Diego, Calif.	1450	Dec. 2	F-1.
7820	Seenie City Broadcasting Co., Inc., Middletown, R. I.	1200	Jan. 20	D. C.-1.	8119	Lake States Broadcasting Co., Milwaukee, Wis.	1520	Jan. 24	D. C.-1.
7825	Ben K. Weatherwax, Aberdeen, Wash.	1450	Nov. 1	F-1.	8140	W. W. Roark, Coleman, Tex.	1230	do.	F-1.
7826	Fred G. Goddard, Hoquiam, Wash.	1450	do.	F-1.	8152	Empire Broadcasting Co., Pomona, Calif.	680	Mar. 28	D. C.-2.
7909	Monroe Broadcasting Co., Inc. (WRNY), Rochester, N. Y.	680	Feb. 14	D. C.-1.	8161	Frequency Broadcasting System, Inc., Shreveport, La.	1050	Feb. 17	D. C.-1.
7941	Hillsdale Broadcasting Co., Inc., Hillsdale, Mich.	900	Feb. 7	D. C.-1.	8162	General Electric Co. (WGY), Schenectady, N. Y.	BS	Dec. 13	D. C.-1.
7942	Abe Lapidus, Pontiac, Mich.	730	Jan. 10	D. C.-2.	8167	Woodward Broadcasting Co., Detroit, Mich.	840	Mar. 29	D. C.-2.
7950	East Texas Broadcasting Co. (KGKB), Tyler, Tex.	690	Nov. 8	D. C.-1.	8176	Terrell Broadcast Corp., Terrell, Tex.	1570	Mar. 21	D. C.-2.
7951	H. J. Powell (KGGF), Coffeyville, Kans.	690	do.	D. C.-1.	8178	Steel City Broadcasting Co., Gary, Ind.	1370	Mar. 17	D. C.-1.
8001	Utility Corporation, Inc. (WTOD), Toledo, Ohio.	1470	Jan. 24	D. C.-2.	8183	The Ponca City Publishing Co., Ponca City, Okla.	1460	Mar. 14	D. C.-1.
8004	Manistee Radio Corp., Manistee, Mich.	1340	Nov. 4	F-2.	8197	Radio Broadcasting Corp., La Salle-Peru, Ill.	1080	Feb. 28	D. C.-1.
8011	American Broadcasting Co., Inc. (KGO), San Francisco, Calif.	810	Dec. 13	D. C.-1.	8198	McLean County Broadcasting Co., Normal, Ill.	1080	do.	D. C.-1.
					8202	Metropolitan Broadcasting Co. of Milwaukee, Whitefish Bay, Wis.	920	Apr. 28	D. C.-1.
					8204	Guilford Broadcasting Co., Greensboro, N. C.	1400	Oct. 29	F-1.

PART III—Continued

LIST OF APPLICATIONS SCHEDULED FOR HEARING ACCORDING TO DOCKET NUMBERS—continued

Docket No.	Name	Frequency	Date	Place	Docket No.	Name	Frequency	Date	Place
8208	Lakeland Broadcasting Corp., Wausau, Wis.	1230	Oct. 27	F-2.	8699	Christian County Broadcasting Co., Taylorville, Ill.	1410	May 16	D. C.-2
8210	Public Service Broadcasters, Inc., Toledo, Ohio.	730	Jan. 10	D. C.-2.	8700	Van Wert Broadcasting Corp., Van Wert, Ohio.	860	May 18	D. C.-2
8218	Northwestern Indiana Radio Co., Inc., Valparaiso, Ind.	1080	Feb. 28	D. C.-1.	8702	Patrick G. Smith, Bishop, Calif.	550	May 24	D. C.-1
8219	Steel City Broadcasting Corp., Gary, Ind.	1080	do.	D. C.-1.	8708	Marion Broadcasting Co., Marion, Ill.	1150	May 19	D. C.-2
8232	Suburban Broadcasting Corp., Upper Darby, Pa.	1170	Feb. 2	D. C.-1.	8712	Enid Radiophone Co. (KCRC), Enid, Okla.	1390	May 5	D. C.-1
8246	York Broadcasting Co. (WORK), York, Pa.	1350	Mar. 31	D. C.-1.	8714	Lakewood Broadcasting Co., Dallas, Tex.	1470	May 9	D. C.-1
8256	Sayre Printing Co., Sayre, Pa.	1340	Oct. 21	F-1.	8715	Trinity Broadcasting Corp. (KLIF), Oak Cliff, Tex.	1480	do.	D. C.-1
8257	Ellis County Broadcasting Co., Waxahachie, Tex.	1390	Feb. 14	D. C.-2.	8716	Greenwich Broadcasting Corp., Greenwich, Conn.	1490	Dec. 9	F-2.
8259	Williamson Broadcasting Corp., Pikeville, Ky.	1490	Nov. 22	F-1.	8717	Fairfield County Broadcasting Co., Norwalk, Conn.	1490	Dec. 10	F-2.
8261	Cornbelt Broadcasting Co., Clinton, Ill.	1520	Jan. 24	D. C.-1.	8718	Cadillac Broadcasting Co., Hamtramck, Mich.	1540	Jan. 31	D. C.-1.
8266	The Heights Broadcasting Co., Cleveland, Ohio.	710	Feb. 17	D. C.-2.	8720	Whittier Broadcasting Associates, Whittier, Calif.	1360	May 25	D. C.-2.
8276	Cocoon Broadcasting Co., Flagstaff, Ariz.	600	Mar. 10	D. C.-2.	8721	Whittier Broadcasting Co., Whittier, Calif.	1360	do.	D. C.-2.
8285	North Jersey Broadcasting Co., Inc. (WPAT), Paterson, N. J.	930	Jan. 17	D. C.-2.	8721	Beacon Broadcasting Co., Inc., Boston, Mass.	FM	Nov. 29	F-2.
8298	R. I. Broadcasting Co. (WRIB), Providence, R. I.	1220	Jan. 20	D. C.-1.	8722	The Northern Corp., Boston, Mass.	FM	do.	F-2.
8302	Charles Wilbur Lamar, Jr., Morgan City, La.	1450	Dec. 13	F-1.	8733	Boston Radio Co., Inc., Boston, Mass.	FM	do.	F-2.
8338	KCMO Broadcasting Co. (KCMO), Kansas City, Mo.	810	do.	D. C.-1.	8758	George F. Haddican, Delano, Calif.	1340	Nov. 17	F-2.
8342	Peking Broadcasting Co., Inc. (WSIV), Pekin, Ill.	1150	Feb. 23	D. C.-1.	8759	Radio Delano, Delano, Calif.	1350	do.	F-2.
8349	McClatchy Broadcasting Co., Bakersfield, Calif.	1410	Oct. 18	D. C.-1.	8778	Cortland Broadcasting Co., Inc. (WKRT), Cortland, N. Y.	920	Mar. 3	D. C.-1.
8360	KRGV, Inc. (KRGV), Weslaco, Tex.	1290	Mar. 7	D. C.-2.	8779	Burlington-Graham Broadcasting Co. (WFNS), Burlington, N. C.	1150	Apr. 28	D. C.-2.
8374	KXRO, Inc. (KXRO), Aberdeen, Wash.	1320	Nov. 4	F-1.	8787	The Orange Belt Station, Redlands, Calif.	910	Mar. 21	D. C.-1.
8379	Tribune Building Co. (KLX), Oakland, Calif.	910	Jan. 31	D. C.-2.	8828	The Master Broadcasting Corp., Rio Piedras, P. R.	1140	Apr. 7	D. C.-2.
8381	Gila Broadcasting Co., Winslow, Ariz.	1580	Feb. 16	D. C.-2.	8829	El Mundo Broadcasting Corp. (WEMB), San Juan, P. R.	1190	Apr. 21	D. C.-2.
8388	Model City Broadcasting Co., Anniston, Ala.	1390	Feb. 2	D. C.-2.	8830	The Toledo Blade Co., Toledo, Ohio.	1470	Jan. 24	D. C.-2.
8395	Twin Cities Broadcasting Corp. (WDGY), Minneapolis, Minn.	BS	Dec. 6	D. C.-1.	8831	Birney Imes, Jr. (WCBD), Columbus, Miss.	580	May 12	D. C.-2.
8397	KIDO, Inc. (KIDO), Boise, Idaho.	630	Jan. 27	D. C.-1.	8832	Silver City Crystal Co. (WMMV), Meriden, Conn.	1470	May 18	D. C.-1.
8409	Parish Broadcasting Corp., Minden, La.	1240	Dec. 16	F-1.	8836	Harbenito Broadcasting Co., (KGBS), Harlingen, Tex.	850	May 16	D. C.-1.
8410	Bastrop Broadcasting Co., Bastrop, La.	900	Apr. 14	D. C.-1.	8841	Bunker Hill Broadcasting Co., Boston, Mass.	FM	Nov. 29	F-2.
8417	Evangeline Broadcasting Co. (KVOL), Lafayette, La.	1480	Mar. 14	D. C.-1.	8842	Richard Field Lewis, Jr. (WINC), Winchester, Va.	950	Apr. 18	D. C.-2.
8427	Douglas L. Craddock (WLOE), Leaksville, N. C.	1490	Jan. 5	D. C.-2.	8844	James H. Furns, Monroe, Mich.	1540	Jan. 31	D. C.-1.
8431	Pellegrin and Smeby, Detroit, Mich.	1440	Mar. 28	D. C.-1.	8847	Antelope Valley Broadcasting Co., Lancaster, Calif.	1340	Dec. 6	F-1.
8435	Kickapoo Prairie Broadcasting Co., Inc., Springfield, Mo.	1340	Nov. 29	F-1.	8848	Antelope Broadcasting Co., Inc., Lancaster, Calif.	1340	do.	F-1.
8452	Radio Calumet, Inc., Gary, Ind.	1270	Jan. 17	D. C.-1.	8849	Voice of the Valley Co., Van Nuys, Calif.	890	Mar. 21	D. C.-1.
8454	Orange County Broadcasting Co., Santa Ana, Calif.	850	Jan. 10	D. C.-1.	8850	William & Lee Odessky, Los Angeles, Calif.	900	do.	D. C.-1.
8460	Radio Lakewood, Inc., Lakewood, Ohio.	1380	Apr. 7	D. C.-1.	8851	Leland Holzer, Long Beach, Calif.	890	do.	D. C.-1.
8499	Redlands Broadcasting Co., Redlands, Calif.	550	Apr. 14	D. C.-2.	8852	Essie Binkley West, Riverside, Calif.	900	do.	D. C.-1.
8509	West Allis Broadcasting Co., West Allis, Wis.	1570	Mar. 24	D. C.-2.	8855	Shelby Broadcasting Co., Center, Tex.	1490	Dec. 20	F-1.
8526	Bessemer Broadcasting Co., Bessemer, Ala.	1450	Jan. 20	F-2.	8856	Northampton Broadcasting Co., Northampton, Mass.	1570	Feb. 28	D. C.-2.
8527	Ensley-Fairfield Broadcasting Co., Ensley, Ala.	1450	Jan. 21	F-2.	8857	Robert C. Hodgkins, Northampton, Mass.	1570	do.	D. C.-2.
8550	Radio Tennessee, Inc., Memphis, Tenn.	860	Apr. 4	D. C.-1.	8861	The Times Picayune Publishing Co. (WTPS), New Orleans, La.	940	Mar. 31	D. C.-2.
8551	H. H. Ohlendorf, Osceola, Ark.	860	do.	D. C.-1.	8875	Radio New Orleans, Inc., New Orleans, La.	1400	Dec. 14	F-1.
8552	Radio Santa Cruz (KSCO), Santa Cruz, Calif.	1080	Feb. 23	D. C.-2.	8876	Penn-Allen Broadcasting Co., Allentown, Pa.	FM	Oct. 27	D. C.-1.
8553	S. H. Patterson (KVAK), Assignor, Albert Alvin Almada, assignee, Atchison, Kans.	AP	Nov. 1	D. C.-1.	8878	David Harold Woolridge, Memphis, Tenn.	1240	Jan. 26	F-2.
8579	Floral City Broadcasting Co., Monroe, Mich.	1430	Apr. 21	D. C.-1.	8879	Bluff City Broadcasting Co., Ltd., Memphis, Tenn.	1240	do.	F-2.
8586	Frequency Broadcasting System, Inc., Monroe, La.	900	Apr. 14	D. C.-1.	8880	Big Sandy Broadcasting Co., Paintsville, Ky.	1490	Nov. 24	F-2.
8587	Brunswick-Island Broadcasting Co., Brunswick, Ga.	1340	Oct. 27	F-1.	8881	John R. Tomek, Wausau, Wis.	1230	Oct. 27	F-2.
8589	Robert F. Wolfe Co., Fremont, Ohio.	900	Feb. 7	D. C.-1.	8882	Rib Mountain Radio, Inc., Wausau, Wis.	1230	do.	F-2.
8591	Monroe Publishing Co., Monroe, Mich.	920	Apr. 19	D. C.-1.	8883	Delta Broadcasting Co. (WDBC), Escanaba, Mich.	680	Feb. 14	D. C.-1.
8593	Coosa Valley Radio Co. (WROM), Rome, Ga.	1400	Jan. 17	F-2.	8884	Door County Broadcasting Co., Inc., Sturgeon Bay, Wis.	1340	Nov. 1	F-2.
8594	News Publishing Co. (WLAQ), Rome, Ga.	1400	do.	F-2.	8886	S. H. Patterson (KJAY), Topeka, Kans.	1440	May 23	D. C.-2.
8600	Three Rivers Broadcasting Co., Kennewick, Wash.	1450	Nov. 12	F-1.	8904	Panama City Broadcasting Co. (WDWB), Panama City, Fla.	590	Jan. 13	D. C.-1.
8610	Griner-Dillon Broadcasting Co., Bay City, Mich.	1350	May 19	D. C.-1.	8909	Chanute Broadcasting Co., Chanute, Kans.	1460	Mar. 14	D. C.-2.
8615	United Nations Broadcasting Corp., San Francisco, Calif.	610	May 2	D. C.-2.	8910	Mosby's Inc. (KANA), Anaconda, Mont.	930	Apr. 13	D. C.-1.
8617	Pure Bred Broadcasting Co., Richmond, Ky.	1550	Apr. 11	D. C.-2.	8911	The Northern Corp. (WMEX), Boston, Mass.	R	Dec. 3	F-2.
8627	The Monocacy Broadcasting Co. (WFMD), Frederick, Md.	930	Jan. 17	D. C.-2.	8912	Do.	TC	do.	F-2.
8628	Puget Sound Broadcasting Co., Inc. (KVI), Tacoma, Wash.	570	Jan. 20	D. C.-2.	8919	Radio Station KRMD, Shreveport, La.	1480	Mar. 14	D. C.-1.
8632	The Liberty St. Gospel Church (WMPC), Lapeer, Mich.	1230	Jan. 13	D. C.-2.	8920	P. R. Communications Authority, San Juan, P. R.	FM	Oct. 25	D. C.-1.
8638	Winchester Broadcasting Corp., Winchester, Va.	1270	Apr. 18	D. C.-2.	8921	Suffolk Broadcasting Corp., Patchogue, N. Y.	1370	June 2	D. C.-1.
8641	Cosmopolitan Broadcasting Co., Los Angeles, Calif.	960	Apr. 11	D. C.-1.	8928	Metropolitan Broadcasting Co., Alamo Heights, Tex.	1240	Jan. 10	F-1.
8642	Diamond H. Ranch Broadcasters, Auburn, Calif.	1490	Nov. 10	F-2.	8929	Blue Valley Broadcasting Co., Beatrice, Nebr.	1450	Oct. 20	F-2.
8643	Florida East Coast Broadcasting Co. (WFEC), Miami, Fla.	1230	Feb. 24	D. C.-1.	8930	Beatrice Broadcasting Co., Beatrice, Nebr.	1450	do.	F-2.
8672	Tampa Times Co. (WDAE), Tampa, Fla.	810	Dec. 13	D. C.-1.	8932	El Camino Broadcasting Co., San Fernando, Calif.	610	May 2	D. C.-2.
8673	Benice Broadcasting Co., Patchogue, N. Y.	1580	Apr. 18	D. C.-1.	8934	Radio Anthracite, Inc. (WHWL), Nanticoke, Pa.	980	Jan. 5	D. C.-1.
8674	Mid-Island Radio, Inc., Patchogue, N. Y.	1580	do.	D. C.-1.	8983	KWHN Broadcasting Co., Inc. (KWHN), Fort Smith, Ark.	L	Nov. 18	F-1.
8684	Continental Broadcasting Co., Toledo, Ohio.	1470	Jan. 24	D. C.-2.	8984	KWHN Broadcasting Co., Inc., Fort Smith, Ark.	FM	do.	F-1.
8685	The Midwestern Broadcasting Co., Toledo, Ohio.	1470	do.	D. C.-2.	8994	L. W. Andrews, Inc., Davenport, Iowa.	FM	Nov. 22	D. C.-1.
8686	Northwest Public Services, Kelso, Wash.	1240	Nov. 8	F-1.	8995	Worcester Broadcasting Co., Worcester, Mass.	970	Feb. 21	D. C.-2.
8687	Independent Broadcasting Service, Oak Park, Ill.	1350	May 12	D. C.-1.	8996	Belvedere Broadcasting Co., Baltimore, Md.	1400	Oct. 18	F-1.
8688	Portorican American Broadcasting Co. (WPAB), Ponce, P. R.	R	Nov. 17	D. C.-1.	8997	S. H. Tinley, Jr., Baltimore, Md.	1400	do.	F-1.
8689	Community Broadcasting Service, Allquippa, Pa.	990	Mar. 30	D. C.-1.	8998	Faulkner County Broadcasting Co., Conway, Ark.	1230	Nov. 15	F-1.
8691	Detroit Broadcasting Co. (WJBK), Detroit, Mich.	1800	Apr. 25	D. C.-2.	8999	Conway Broadcasting Co., Conway, Ark.	1230	do.	F-1.
8692	J. Gerity, Jr. (WABJ), Adrian, Mich.	1490	do.	D. C.-2.	9002	Astoria Broadcasting Co. (KAST), Astoria, Oreg.	1370	May 5	D. C.-2.
					9005	Peninsula Broadcasting Corp., Pontiac, Mich.	1380	May 26	D. C.-1.
					9006	The Times Herald Co. (WTHH), Port Huron, Mich.	1380	do.	D. C.-1.

PART III—Continued

LIST OF APPLICATIONS SCHEDULED FOR HEARING ACCORDING TO DOCKET NUMBERS—continued

Docket No.	Name	Frequency	Date	Place	Docket No.	Name	Frequency	Date	Place
9016	McClatchy Broadcasting Co., Sacramento, Calif.	FM	Oct. 19	D. C.-1.	9087	Baylor University (KWBU), Houston, Tex.	1030	Mar. 7	D. C.-1.
9021	Hamtramck Radio Corp., Hamtramck, Mich.	1440	Mar. 28	D. C.-1.	9088	Carr P. Collins, Jr., Corpus Christi, Tex.	1010	do.	D. C.-1.
9023	Vulcan Broadcasting Co., Birmingham, Ala.	1490	Jan. 24	F-2.	9089	Texas Star Broadcasting Co. (KTHT), Houston, Tex.	1030	do.	D. C.-1.
9025	Sun Country Broadcasting Co. (KPSC), Phoenix, Ariz.	1270	Apr. 25	D. C.-1.	9092	Ruston Broadcasting Co., Ruston, La.	1230	Dec. 17	F-1.
9026	Sun Country Broadcasting Co. (KTSC), Tucson, Ariz.	580	do.	D. C.-1.	9102	Cushing Broadcasting Co., Cushing, Okla.	1600	June 6	D. C.-1.
9027	Sun Country Broadcasting Co. (KPSC), Phoenix, Ariz.	1270	do.	D. C.-1.	9103	Payne County Broadcasters, Cushing, Okla.	1600	do.	D. C.-1.
9054	Crosley Broadcasting Corp., New York, N. Y.	FM	Dec. 13	F-2.	9104	Dunkirk Broadcasting Corp., Dunkirk, N. Y.	1410	May 2	D. C.-1.
9055	Atlantic Broadcasting Co., New York, N. Y.	FM	do.	F-2.	9105	Airwaves, Inc. (WJOC), Jamestown, N. Y.	1410	do.	D. C.-1.
9056	Debs Memorial Radio Fund, Inc., New York, N. Y.	FM	do.	F-2.	9107	Frederick Broadcasting Co., Frederick, Md.	1330	May 10	D. C.-1.
9057	Ebbets McKeever Exhib. Co., Inc., New York, N. Y.	FM	do.	F-2.	9108	Harrisonburg Broadcasting Co., Harrisonburg, Va.	1340	Jan. 12	F-2.
9066	Kenyon Brown, Tulsa, Okla.	1340	Nov. 22	F-1.	9109	James Madison Broadcasting Corp., Orange, Va.	1340	Jan. 10	F-2.
9067	George E. Cameron, Jr., Tulsa, Okla.	1340	do.	F-1.	9110	Airtone Co., Santa Ana, Calif.	850	do.	D. C.-1.
9068	Oliver Broadcasting Corp. (WPOR), Portland, Maine.	1060	May 9	D. C.-2.	9111	Riverside Broadcasters, Riverside, Calif.	860	Jan. 10	D. C.-1.
9069	Lowell Sun Publishing Co., Lowell, Mass.	1060	do.	D. C.-2.	9118	Paul F. Braden (WPPB), Middletown, Ohio.	910	Feb. 10	D. C.-2.
9070	The Highlands Broadcasting Co., Sebring, Fla.	9070	Oct. 22	F-1.	9123	Suburban Broadcasting Corp., New Rochelle, N. Y.	1460	May 23	D. C.-1.
9073	The Bible Institute of L. A., Inc., Los Angeles, Calif.	PED	Dec. 9	F-1.	9124	Jonas Weiland (WFTC), Kinston, N. C.	AL	Nov. 24	D. C.-1.
9074	Mid-Utah Broadcasting Co. (KNEU), Provo, Utah.	1240	Mar. 23	D. C.-1.	9125	Robert L. Weeks (KBLF), Red Bluff, Calif.	AL	Nov. 8	F-2.
9075	Richland Broadcasting Corp., Richland Center, Wis.	1450	Oct. 25	F-2.	9127	Dale E. Crowley, Washington, D. C.	1540	Feb. 7	D. C.-2.
9076	Charles H. Young, Anderson, S. C.	1050	Feb. 3	D. C.-1.	9128	Grant A. Wood, Hyattsville, Md.	1540	do.	D. C.-2.
9079	Mark Perkins, San Antonio, Tex.	1240	Jan. 12	F-1.	9129	Madera Broadcasting Co., Madera, Calif.	1340	Nov. 15	F-2.
9081	Ottawa Broadcasting Co., Ottawa, Kans.	1220	June 1	D. C.-1.	9130	The Rural Broadcasting Co. of Ohio, Oak Harbor, Ohio.	1470	Jan. 24	D. C.-2.
9082	Red Oak Radio Corp., Red Oak, Iowa.	1220	do.	D. C.-1.	9131	Louis G. Baltimore (WBRE), Wilkes-Barre, Pa.	1340	Apr. 4	D. C.-2.
9085	Mansfield Broadcasting Co., Mansfield, Pa.	1050	May 28	D. C.-1.	9132	Allentown Broadcasting Co. (WKAP) Allentown, Pa.	1320	do.	D. C.-2.
9086	Falls County Public Service, Marlin, Tex.	1010	Mar. 7	D. C.-1.	9133	Lackawanna Valley Broadcasting Co. (WSCR), Scranton, Pa.	1320	do.	D. C.-2.
					9135	Pasadena Presbyterian Church (KPPC), Pasadena, Calif.	1240	June 6	D. C.-2.
					9145	Radio St. Clair, Inc., Marine City, Mich.	1590	June 1	D. C.-2.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9104; Filed, Oct. 13, 1948; 9:01 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9587, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12060]

MINNIE VAHLKAMP

In re: Estate of Minnie Vahlkamp, deceased. File No. D-28-10999; E. T. sec. 15386.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Mowwe, Charlotte Siebert, Anna Techtmeyer, Luise Vörderbugge Mowwe, Wilhelmine Flottmann, Gustav Mowwe, Otto Mowwe, Anna Kampwert, Erna Horskotter, Emma Bollmann, Hermann (Herman) Mowwe, Louisa(e) (Luise) Claus, Heinrich Moehlmann (Mohlmann), Minna Broeker, Emma Brinkwert, Augusta Flottmann, and Heinrich Moehlmann (Mohlmann), whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Minnie Vahlkamp, deceased, is property payable or deliverable to, or claimed by, the aforesaid na-

tionals of a designated enemy country (Germany);

3. That such property is in the process of administration by Herman F. Vahlkamp and Henry Claus, as joint executors, acting under the judicial supervision of the County Court of Wayne County, Nebraska;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 22, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9079; Filed, Oct. 13, 1948; 8:51 a. m.]

[Vesting Order 12098]

LEONHARD EPP

In re: Estate of Leonhard Epp, deceased. File D-28-9191; E. T. sec. 11905.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Leonhard Epp, Phillip Epp and Katharina Epp, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, and legatees, names unknown, of Maria Anna Epp, sister of decedent, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Leonhard Epp, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Joseph Peltzer, Mt. Hope, Kansas, Administrator d. b. n., c. t. a., acting under the judicial supervision of the Probate Court of Sedgwick County, Kansas,

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives,

and legatees, names unknown, of Maria Anna Epp, sister of decedent, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9080; Filed, Oct. 13, 1948;
8:51 a. m.]

[Vesting Order 12101]

KARL KLEIN

In re: Estate of Karl Klein, deceased, File D-28-12370; E. T. sec. 16597.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franz Zehe; Marianne Zehe; Franziska Sterlepper; Paula Behnecke, nee Paula Schroeder; Edward Klein; Karl Klein; Minna Winkler; Marie Zeidler; Minna Turban, also known as Wilhelmmina Turban; Arnold Winkler; Thomas Winkler; Marie Winkler Gruellmayer, nee Marie Winkler; Karl Winkler and Margaretha Winkler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children, names unknown, of Franziska Sterlepper, and the heirs, names unknown, of Hans Winkler and of Edward Winkler, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Karl Klein, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Emma Rodelsperger, as executrix, acting under the judicial supervision of the Probate Court of the State of New Hampshire, in and for the County of Hillsborough;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9081; Filed, Oct. 13, 1948;
8:51 a. m.]

[Vesting Order 12105]

DOROTHEA C. MOSLE

In re: Trust under the will of Dorothea C. Mosle, deceased. File No. D-28-1471-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johanne Postey, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof, in and to and arising out of or under the trust created under the will of Dorothea C. Mosle, deceased, and presently being administered by A. Henry Mosle, 63 Wall Street, New York 5, New York, as trustee,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9082; Filed, Oct. 13, 1948;
8:51 a. m.]

LOUIS PIERONI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Louis Pieroni, Boston, Mass.; 5857; \$170,269 in the Treasury of the United States. All right, title, interest and claim of any name or nature whatsoever of Louis Pieroni in and to Pieroni Bros. & Co., a Massachusetts partnership. The following securities presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York: 130 shares of Pieroni Building Trust (a Massachusetts Trust), and 65 shares of no par value capital stock of Pieroni Inc., a Massachusetts corporation.

Executed at Washington, D. C., on October 8, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9088; Filed, Oct. 13, 1948;
8:52 a. m.]